

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, )  
 ) Case No. 1:15-CR-00033-3  
 ) (RJA) (HBS)  
Plaintiff, )  
 )  
vs. ) September 12th, 2022  
 ) 11:33 a.m.  
RODERICK ARRINGTON, )  
 )  
Defendant. )

**TRANSCRIPT OF JURY TRIAL TESTIMONY OF DAMARIO JAMES  
BEFORE THE HONORABLE RICHARD J. ARCARA  
SENIOR UNITED STATES DISTRICT JUDGE**

APPEARANCES:

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11:33AM 1 THE COURT: All right. Mr. Lenihan?

11:33AM 2 MR. LENIHAN: Thank you, Your Honor. The Government

11:33AM 3 calls Damario James.

11:33AM 4 THE COURT: What number is he?

11:33AM 5 MR. LENIHAN: The number? Number eight.

11:34AM 6 (The witness was sworn at 11:34 a.m.)

11:34AM 7 THE CLERK: Can you please state your name and spell

11:34AM 8 it for the record?

11:34AM 9 THE WITNESS: Damario James; D-A-M-A-R-I-O, last name

11:34AM 10 James, J-A-M-E-S.

11:35AM 11 MR. LENIHAN: Permission to proceed?

11:35AM 12 THE COURT: Yes.

11:35AM 13

11:35AM 14 DIRECT EXAMINATION

11:35AM 15

11:35AM 16 BY MR. LENIHAN:

11:35AM 17 Q. Good morning, sir.

11:35AM 18 A. Good morning.

11:35AM 19 Q. Mr. James, did you grow up in Buffalo?

11:35AM 20 A. Yes.

11:35AM 21 Q. Where did you grow up in Buffalo?

11:35AM 22 A. Central Park area, like Fillmore, Kensington, Jewett,

11:35AM 23 Main Street area.

11:35AM 24 Q. Can you describe to the jury where the Central Park area

11:35AM 25 is in Buffalo?

11:35AM 1 A. It's on the East Side. It's, like, by Canisus College,  
11:35AM 2 Main Street and Fillmore area.

11:35AM 3 Q. And that's where you grew up?

11:35AM 4 A. Yes.

11:35AM 5 Q. Did you go to high school in Buffalo?

11:35AM 6 A. Yes.

11:35AM 7 Q. Did you ever spend time -- are you familiar with the  
11:36AM 8 Schuele neighborhood?

11:36AM 9 A. Yes.

11:36AM 10 Q. How are you familiar with the Schuele neighborhood?

11:36AM 11 A. It was my grandmother's neighborhood or area. I grew up  
11:36AM 12 around there, too. I used to be over there a lot. My  
11:36AM 13 grandmother used to watch me and my cousins.

11:36AM 14 Q. Where was your grandma living?

11:36AM 15 A. On Stevens.

11:36AM 16 Q. Where is Stevens?

11:36AM 17 A. It's right around the corner from Schuele.

11:36AM 18 Q. You mentioned that your grandma would watch you a lot?

11:36AM 19 A. Mm-hmm.

11:36AM 20 Q. Along with your cousins?

11:36AM 21 A. Yes.

11:36AM 22 Q. What cousins?

11:36AM 23 A. Shawntorrian Travis and Letorrance Travis.

11:36AM 24 Q. Would you spend a lot of time in the Schuele area?

11:36AM 25 A. Yes.

11:36AM 1 Q. Are you familiar with the Schuele Boys?

11:36AM 2 A. Yes.

11:36AM 3 Q. Did you get involved in any drug dealing?

11:36AM 4 A. Yes.

11:36AM 5 Q. Can you describe how you got involved in drug dealing?

11:36AM 6 A. I started selling drugs around the age of 12, 13,

11:37AM 7 marijuana, and started selling crack. Then, you know, as I

11:37AM 8 got older, being around family members and friends, started

11:37AM 9 selling more, you know, different weight-wise.

11:37AM 10 Q. What do you mean by different weight?

11:37AM 11 A. I'd say when I was younger, it was in smaller quantities

11:37AM 12 of drugs and, as I got older, it was a larger quantity.

11:37AM 13 Q. As you got older, what were some of these larger

11:37AM 14 quantities that you were selling?

11:37AM 15 A. I would say a big, which is 125 grams, a half a key or --

11:37AM 16 to a whole kilogram, a whole.

11:37AM 17 Q. And you mentioned a big is what?

11:37AM 18 A. A hundred twenty-five grams.

11:37AM 19 Q. How much is -- 125 grams of what?

11:37AM 20 A. Cocaine.

11:37AM 21 Q. How much is that worth?

11:37AM 22 A. At the time, 5,500. Could be anywhere from five,

11:38AM 23 fifty-five.

11:38AM 24 Q. So, 5,000 to 5,500?

11:38AM 25 A. Mm-hmm.

11:38AM 1 Q. And then you mentioned you would sell a half a key?

11:38AM 2 A. Yes.

11:38AM 3 Q. What is a half a key?

11:38AM 4 A. Grams or --

11:38AM 5 Q. Grams of what?

11:38AM 6 A. Cocaine.

11:38AM 7 Q. How many grams?

11:38AM 8 A. It was 500.

11:38AM 9 Q. And then a key is what?

11:38AM 10 A. A thousand.

11:38AM 11 Q. And then that -- of cocaine?

11:38AM 12 A. Yes.

11:38AM 13 Q. Okay. As part of dealing drugs -- were you dealing drugs

11:38AM 14 in the Schuele neighborhood?

11:38AM 15 A. Yes.

11:38AM 16 Q. Who were you dealing drugs with in the Schuele

11:38AM 17 neighborhood?

11:38AM 18 A. It was my cousins, Hicks, Robertson.

11:38AM 19 Q. Which cousin were you dealing with?

11:38AM 20 A. I'm sorry. Letorrance Travis.

11:38AM 21 Q. How about Shawntorrian?

11:38AM 22 A. Shawntorrian?

11:38AM 23 Q. Yeah.

11:38AM 24 A. Yes. We -- in the past with my other cousin, too, as

11:39AM 25 well.

11:39AM 1 Q. You mentioned Hicks?

11:39AM 2 A. Yes.

11:39AM 3 Q. Who is Hicks?

11:39AM 4 THE COURT: Do you know his first name?

11:39AM 5 THE WITNESS: Aaron. Aaron Hicks. I'm sorry.

11:39AM 6 Aaron Hicks.

11:39AM 7 BY MR. LENIHAN:

11:39AM 8 Q. Did Aaron Hicks have a nickname?

11:39AM 9 A. Boog or Boogy.

11:39AM 10 MR. LENIHAN: Permission to approach the witness with

11:39AM 11 what has been premarked as Government Exhibit 24B?

11:39AM 12 THE COURT: All right.

11:39AM 13 BY MR. LENIHAN:

11:39AM 14 Q. Do you recognize Government Exhibit 24B?

11:39AM 15 A. Yes.

11:39AM 16 Q. What is Government Exhibit 24B?

11:39AM 17 A. This is a picture of an album cover.

11:40AM 18 Q. Of what? I'm sorry?

11:40AM 19 A. An album cover.

11:40AM 20 Q. And are there individuals that you recognize on the album

11:40AM 21 cover?

11:40AM 22 A. Yes.

11:40AM 23 Q. Do the people that you recognize, does this picture

11:40AM 24 accurately depict the people that you recognize?

11:40AM 25 A. Yes. It's the people I recognize.

11:40AM 1 MR. LENIHAN: The government would move to admit  
11:40AM 2 Government Exhibit 24B into evidence.

11:40AM 3 MR. ARRINGTON: Objection, Your Honor. It doesn't  
11:40AM 4 say who the people are, foundation of it. And it's also  
11:40AM 5 hearsay, written on the bottom of this photo, album cover.

11:40AM 6 THE COURT: Overruled. It will be admitted.  
11:41AM 7 (Government Exhibit 24B was received in evidence.)

11:41AM 8  
11:41AM 9 MR. LENIHAN: Permission to publish, Your Honor.

11:41AM 10 THE COURT: Yes, you may.

11:41AM 11 BY MR. LENIHAN:

11:41AM 12 Q. All right. Do you see the individuals on this  
11:41AM 13 photograph, sir?

11:41AM 14 A. Yes.

11:41AM 15 Q. So, starting from left to right, can you identify the  
11:41AM 16 people in the photographs?

11:41AM 17 A. Yes. Left you have Arrington, Brell.

11:41AM 18 Q. So, the second person is Brell?

11:41AM 19 A. Yes.

11:41AM 20 Q. Do you know Brell's real name?

11:41AM 21 A. No. Then you got Worthy, Marcel Worthy.

11:41AM 22 Q. What is Worthy wearing?

11:41AM 23 A. He's got a blue hat on.

11:41AM 24 THE COURT: I'll tell you what; when you identify a  
11:41AM 25 person, can you just hit the screen so we know what person

11:41AM 1 we're talking about?

11:41AM 2 THE WITNESS: Oh, okay.

11:41AM 3 THE COURT: Now, who is the first one you mentioned?

11:41AM 4 THE WITNESS: First one is Arrington.

11:41AM 5 THE COURT: Where is that?

11:41AM 6 THE WITNESS: In the courtroom.

11:41AM 7 THE COURT: What's that?

11:41AM 8 THE WITNESS: He's in the courtroom. Oh, where?

11:41AM 9 THE COURT: Yeah. On the far left?

11:42AM 10 THE WITNESS: Mm-hmm.

11:42AM 11 THE COURT: All right. He has a black hat on?

11:42AM 12 THE WITNESS: Yes. Black hat.

11:42AM 13 THE COURT: The next one?

11:42AM 14 THE WITNESS: The next one, next is Brell with a  
11:42AM 15 white T-shirt.

11:42AM 16 THE COURT: Okay.

11:42AM 17 THE WITNESS: And then we got Worthy, which is  
11:42AM 18 Cheese's street name, Marcel Worthy, in the blue; and then, in  
11:42AM 19 the middle here is Sandy, which is Black; and then we got  
11:42AM 20 Marcel Worthy's brother, Wheeze; and then Aaron Hicks; and  
11:42AM 21 then that's my cousin, Letorrance Travis; and then, that's  
11:42AM 22 Sandy's father on the far right.

11:42AM 23 BY MR. LENIHAN:

11:42AM 24 Q. And Serious Black, is he a rapper?

11:42AM 25 A. Yes.



11:42AM 1 Q. That's the person right in the middle?

11:42AM 2 A. Yes.

11:42AM 3 Q. And you said the person all the way to the left you see

11:43AM 4 in the courtroom today?

11:43AM 5 A. Yes.

11:43AM 6 Q. Can you identify that person?

11:43AM 7 A. Yes. Brown shirt, beard. I can't tell the color;

11:43AM 8 burgundy or brown.

11:43AM 9 MR. LENIHAN: The witness has identified the

11:43AM 10 defendant, Your Honor.

11:43AM 11 BY MR. LENIHAN:

11:43AM 12 Q. And were -- these individuals that you identified in the

11:43AM 13 picture, what neighborhood were they from?

11:43AM 14 A. I can't say Brell, but everyone else is, like, Schuele,

11:43AM 15 but I can't say Brell. Brell was, like, a different area.

11:43AM 16 Q. So, everyone else from the Schuele area?

11:43AM 17 A. Yes, I can say.

11:43AM 18 Q. Were these the Schuele Boys?

11:43AM 19 A. Yes.

11:43AM 20 Q. You mentioned the person, Cheese. Did you know Cheese?

11:43AM 21 A. Yes.

11:43AM 22 Q. Was Cheese involved in drug dealing?

11:43AM 23 A. Yes.

11:43AM 24 Q. How about Sandy Jones?

11:44AM 25 A. Yes.

11:44AM 1 Q. How about Cheese's brother, Wheeze?

11:44AM 2 A. No, I can't say that about Wheeze.

11:44AM 3 Q. How about Aaron Hicks?

11:44AM 4 A. Yes.

11:44AM 5 Q. Letorrance Travis?

11:44AM 6 A. Yes.

11:44AM 7 Q. Sandy Jones' father?

11:44AM 8 A. Not that I know of.

11:44AM 9 Q. And how about Arrington?

11:44AM 10 A. I would say yes.

11:44AM 11 Q. All right. Now, as far as your own drug dealing, did you

11:44AM 12 get caught by the police while you were dealing drugs?

11:44AM 13 A. Yes.

11:44AM 14 Q. And as part of getting caught with the police, can you

11:44AM 15 tell the jury what happened to you?

11:44AM 16 A. I got caught and I went to jail and I had to serve some

11:45AM 17 time.

11:45AM 18 Q. Did you get caught multiple times?

11:45AM 19 A. Yes.

11:45AM 20 Q. When was the first time you got caught and had to go to

11:45AM 21 jail?

11:45AM 22 A. My very first time I went to jail was 2001. I did six

11:45AM 23 months, five years probation, then I got out for a little

11:45AM 24 bit. I violated it, and I did four more months, and then I

11:45AM 25 was on probation. And then, at the ending of 2003, the

11:45AM 1 second time I was incarcerated. This is ending of 2003, I  
11:45AM 2 got picked up by the government.

11:45AM 3 Q. You got what? I'm sorry.

11:45AM 4 A. I got arrested by the government, picked up.

11:45AM 5 Q. Okay. Were those federal charges?

11:45AM 6 A. Yes.

11:45AM 7 Q. And what sentence did you get?

11:45AM 8 A. Thirty-three months.

11:45AM 9 Q. When were you released on that charge?

11:45AM 10 A. In 2006.

11:46AM 11 Q. What happened after? Did you get caught again?

11:46AM 12 A. Yes.

11:46AM 13 Q. When was that?

11:46AM 14 A. That was 2014.

11:46AM 15 Q. And can you discuss the circumstances of that case?

11:46AM 16 A. Yes. I was selling drugs. Someone was buying from me,

11:46AM 17 an informant purchasing, and then taking it back to the

11:46AM 18 officers. It was maybe -- I give it a year probably, if I

11:46AM 19 can remember, a yearlong investigation, maybe. It started in

11:46AM 20 2013. And in '14, I got picked up -- well, arrested in 2014.

11:46AM 21 There was a -- I was getting drugs from Robertson.

11:47AM 22 Q. What was Robertson's nickname?

11:47AM 23 A. Bones.

11:47AM 24 Q. Did you plead guilty to that charge?

11:47AM 25 A. Yes.

11:47AM 1 Q. And what sentence did you receive?

11:47AM 2 A. Forty-one months, I believe.

11:47AM 3 Q. Were you on -- were you sentenced to any supervised  
11:47AM 4 release after that?

11:47AM 5 A. Yes.

11:47AM 6 Q. Has that been completed?

11:47AM 7 A. Yes.

11:47AM 8 Q. Do you have anything remaining?

11:47AM 9 A. No.

11:47AM 10 Q. So, I'd like to talk to you about, you know, in the  
11:47AM 11 2000s. And so, you were released from federal prison in  
11:47AM 12 2006?

11:47AM 13 A. Yes.

11:47AM 14 Q. And when you got out in 2006, did you go back to dealing  
11:47AM 15 drugs?

11:47AM 16 A. Yes.

11:47AM 17 Q. And can you discuss how you got back into dealing drugs?

11:47AM 18 A. Well, at the time, I couldn't find employment, and I  
11:48AM 19 resulted back to -- in the streets and selling drugs. First  
11:48AM 20 it was crack cocaine, and then I started selling powder,  
11:48AM 21 cocaine powder.

11:48AM 22 Q. Who were you selling drugs with?

11:48AM 23 A. Back at that time, it used to be me, a friend of mine  
11:48AM 24 name Byron, and I used to have my cousin, Letorrance Travis,  
11:48AM 25 with me.

11:48AM 1 Q. What area were you selling in?

11:48AM 2 A. At that time, it was right around Central Park area, my

11:48AM 3 grandmother's area, around Schuele area, Courtland, Delavan

11:48AM 4 and Courtland area. I would say East Ferry, Cambridge, East

11:49AM 5 Ferry area.

11:49AM 6 Q. How about the person that I asked you about, Cheese? Was

11:49AM 7 that person selling drugs with you from 2006 to 2009?

11:49AM 8 A. No. Cheese, Marcel Worthy, we -- 2000 I would say -- me

11:49AM 9 and Worthy, in 2010, but we hung together and, you know, he

11:49AM 10 sell drugs, I sell drugs, but we sell to different people,

11:49AM 11 but it was more so 2010 and we were buying drugs from him and

11:49AM 12 selling to different people. We sold marijuana together, me

11:50AM 13 and Worthy.

11:50AM 14 Q. I'm sorry?

11:50AM 15 A. We sold marijuana together, me and Worthy.

11:50AM 16 Q. When was that?

11:50AM 17 A. That was 2010. We was on Courtland.

11:50AM 18 Q. Whose house was on Courtland?

11:50AM 19 A. My cousin had a house on Courtland.

11:50AM 20 Q. What cousin?

11:50AM 21 A. Letorrance Travis.

11:50AM 22 Q. You mentioned that you would sell crack cocaine?

11:50AM 23 A. Yes.

11:50AM 24 Q. Were you buying it as crack cocaine or were you cooking

11:50AM 25 it?

11:50AM	1	A. I was cooking it.
11:50AM	2	Q. Where was that occurring?
11:50AM	3	A. I'm sorry?
11:50AM	4	Q. Where was that happening at?
11:50AM	5	A. Cooking on Courtland before, cooking on Wohlers, but
11:50AM	6	cooking on Courtland before --
11:50AM	7	MR. ARRINGTON: Excuse me, Judge. I apologize for
11:50AM	8	the interruption. Can we excuse a juror, please? I need
11:51AM	9	stand-by counsel to approach the bench.
11:51AM	10	THE COURT: All right. Ladies and gentlemen, would
11:51AM	11	you step outside, please?
11:51AM	12	(The jury left the room at 11:51 a.m.)
11:52AM	13	(The jury entered the room at 11:53 a.m.)
11:53AM	14	THE COURT: All right. Mr. Lenihan, you may
11:53AM	15	continue.
11:53AM	16	MR. LENIHAN: Thank you, Your Honor.
11:53AM	17	BY MR. LENIHAN:
11:53AM	18	Q. You mentioned you would cook cocaine into crack cocaine?
11:53AM	19	A. Yes.
11:54AM	20	Q. And you mentioned that you would do that over on
11:54AM	21	Courtland?
11:54AM	22	A. Yes.
11:54AM	23	Q. Who would you do that with?
11:54AM	24	A. It would be me, Letorrance Travis, my cousin,
11:54AM	25	Shawntorrian Travis, Hicks, Worthy. At the time, there

11:54AM 1 was -- and people will come over and, you know, OP or Brell  
11:54AM 2 or Arrington, they'd stop by the house and --

11:54AM 3 MR. ARRINGTON: I object, Your Honor. Can we get a  
11:54AM 4 timeframe on this?

11:54AM 5 THE COURT: What time are we talking about?

11:54AM 6 THE WITNESS: Two thousand eleven.

11:54AM 7 THE COURT: Okay.

11:54AM 8 BY MR. LENIHAN:

11:54AM 9 Q. You mentioned that you would also cook cocaine into crack  
11:54AM 10 cocaine over on Wohlers Street?

11:54AM 11 A. Yes.

11:55AM 12 Q. Who was there when that was happening?

11:55AM 13 A. At that time, it was me, Brell, and my cousin, Letorrance  
11:55AM 14 Travis.

11:55AM 15 THE COURT: Sir, what's your understanding of crack  
11:55AM 16 cocaine versus cocaine? What -- can you tell us?

11:55AM 17 THE WITNESS: Cocaine powder is what -- I would cook  
11:55AM 18 that into crack cocaine form. I would take the powder, and it  
11:55AM 19 would need to be crunched down. I would crunch it down, and  
11:55AM 20 then I would take that and baking soda and put it in a pot  
11:55AM 21 with water and cook it, you know, into -- it's a process that,  
11:55AM 22 you got to cook it with hot water, and then take it out, and  
11:55AM 23 let it cool off until it gets hard, and you can let it cool  
11:55AM 24 off or add cold water to it.

11:55AM 25 THE COURT: What's the purpose of doing that?

11:55AM	1	THE WITNESS: Cooking it into crack cocaine?
11:55AM	2	THE COURT: Yes.
11:55AM	3	THE WITNESS: For different people's drug of choice.
11:56AM	4	Some people might want cocaine and some people want crack
11:56AM	5	cocaine to smoke.
11:56AM	6	THE COURT: Is there any difference in the effect
11:56AM	7	between cocaine and crack cocaine?
11:56AM	8	THE WITNESS: I would say it would give off the same
11:56AM	9	high, I believe, usually versus somebody using it for they
11:56AM	10	nose and smoking it.
11:56AM	11	THE COURT: All right.
11:56AM	12	BY MR. LENIHAN:
11:56AM	13	Q. How would somebody ingest powder cocaine?
11:56AM	14	A. Through their nose.
11:56AM	15	Q. How would somebody ingest crack cocaine?
11:56AM	16	A. Through a pipe.
11:56AM	17	Q. And how would it be through a pipe?
11:56AM	18	A. With a crack pipe, they would use -- it's like some type
11:56AM	19	of stringy copper stuff they put inside as, like, a strain,
11:56AM	20	and they just put that in there and use a lighter and smoke
11:57AM	21	it.
11:57AM	22	Q. You mentioned that -- so, up until 2009, who were you
11:57AM	23	primarily dealing drugs with?
11:57AM	24	A. I believe my cousins, Letorrance Travis and Shawntorrian
11:57AM	25	Travis.



11:57AM 1 Q. Did you -- and what happened after 2009?

11:57AM 2 A. What happened in 2009? Let me see. I got incarcerated  
11:57AM 3 again, I think, for about 30 days to 45 days, and then I came  
11:57AM 4 home around January, February of 2010.

11:58AM 5 Q. In 2010, was there any changes to this drug operation?

11:58AM 6 A. In 2010, they was selling marijuana, and then it changed  
11:58AM 7 from the marijuana into cocaine.

11:58AM 8 Q. How did it change?

11:58AM 9 A. I would say they was bringing in marijuana and then they  
11:58AM 10 seen there was more money to be made with cocaine, so they  
11:58AM 11 started bringing in coke.

11:58AM 12 Q. Who was bringing in coke?

11:58AM 13 A. My cousin, Letorrance Travis, and Hicks' source of  
11:58AM 14 supply.

11:58AM 15 Q. I'm sorry?

11:58AM 16 A. My cousin, Letorrance Travis, and Hicks' source of  
11:58AM 17 supply.

11:58AM 18 Q. So, are you aware that Aaron Hicks had a source of  
11:59AM 19 supply?

11:59AM 20 A. Yes.

11:59AM 21 Q. And can you just describe to the jury what a source of  
11:59AM 22 supply is?

11:59AM 23 A. A source of supply, explain this? It's the individual  
11:59AM 24 bringing in drugs. Like, I'm trying to make an instance. If  
11:59AM 25 I was a source of supply, you know, I would bring in a lot of

11:59AM 1 weight, a large quantity of it, and I would give it to them  
11:59AM 2 to sell.  
11:59AM 3 Q. During this timeframe, what kind of weight was Aaron  
11:59AM 4 Hicks getting?  
11:59AM 5 A. Large weight. I would say kilos of cocaine.  
11:59AM 6 Q. Kilograms?  
11:59AM 7 A. Yes.  
11:59AM 8 Q. How much was a kilogram of cocaine selling for in Buffalo  
11:59AM 9 back then?  
11:59AM 10 A. \$44,000.  
11:59AM 11 Q. Did you have knowledge as to who the source of supply  
12:00PM 12 was?  
12:00PM 13 A. Yes. I actually seen a guy. And we all went out to a  
12:00PM 14 club one night. It's a kind of dark-skinned guy. He had a  
12:00PM 15 fade around the sides and had like dreads; little small, tiny  
12:00PM 16 dreads at the top of his head.  
12:00PM 17 Q. Do you know where he was from?  
12:00PM 18 A. No.  
12:00PM 19 Q. What -- how did you know this was Aaron Hicks' source of  
12:00PM 20 supply?  
12:00PM 21 A. When I bought, like -- I bought, like, I'd say three,  
12:00PM 22 four pounds of marijuana at the time. And he was, like, I'm  
12:00PM 23 waiting on my cousin or whoever the guy was. He said, I'm  
12:00PM 24 waiting on, you know, him to grab it, and then he had to go  
12:00PM 25 meet him and get the marijuana from him to bring it back to

12:01PM 1 me on Courtland.

12:01PM 2 Q. How much or how often was Aaron Hicks being supplied with

12:01PM 3 kilograms of cocaine?

12:01PM 4 A. I would say twice a month.

12:01PM 5 Q. And had you observed these kilograms of cocaine?

12:01PM 6 A. Yes.

12:01PM 7 Q. Where did you observe these kilograms of cocaine?

12:01PM 8 A. Courtland.

12:01PM 9 Q. How much -- how many kilograms of cocaine would you

12:01PM 10 observe?

12:01PM 11 A. Anywhere from five to ten kilograms of cocaine.

12:01PM 12 Q. And were you receiving some of that?

12:01PM 13 A. Yes. I sold some. Yes.

12:01PM 14 Q. And discuss how you would then sell some of those

12:01PM 15 kilograms of cocaine?

12:01PM 16 A. I would call the people that I knew that wanted to buy

12:01PM 17 some and they would pull up. And when they pull up, I'd go

12:02PM 18 inside and get it and take it back outside to them, sell it

12:02PM 19 to them, and bring the money back in the house.

12:02PM 20 Q. How much of weight were you selling on a regular basis?

12:02PM 21 A. Half a key up to a kilogram of cocaine.

12:02PM 22 Q. And where were your customers?

12:02PM 23 A. Where was my customers?

12:02PM 24 Q. Yes.

12:02PM 25 A. You mean waiting to buy it or just --

12:02PM 1 Q. Again, what area were you selling?

12:02PM 2 A. Oh, there was different areas. Some was from my

12:02PM 3 neighborhood, Central Park neighborhood; some was from East

12:02PM 4 Ferry, Cambridge area; some was people from downtown, William

12:02PM 5 Street area.

12:02PM 6 Q. And did you have any knowledge as to where these

12:02PM 7 kilograms of cocaine were coming from?

12:03PM 8 A. Yes.

12:03PM 9 Q. Where was that?

12:03PM 10 A. Again, coming from the state or from the person?

12:03PM 11 Q. State.

12:03PM 12 A. No. I'm not going to say that. At the time, no, I don't

12:03PM 13 know what state they were coming from.

12:03PM 14 Q. Was there any problems that occurred with the source of

12:03PM 15 supply, to your knowledge?

12:03PM 16 A. Yes. Hicks' cousin -- we was all at the house one day,

12:03PM 17 and Hicks was -- you know, we was all out there talking, and

12:03PM 18 he was talking about how he ran off with about a hundred-

12:03PM 19 something thousand dollars of money, and that they had to

12:03PM 20 repay the connect back, or the source of supply. They had to

12:03PM 21 pay him back the money that they ran off with. And, yeah,

12:03PM 22 once they paid him back off, the money from selling all the

12:04PM 23 marijuana, then that's when they switched up and were

12:04PM 24 bringing cocaine.

12:04PM 25 Q. When you were observing kilograms of cocaine inside

12:04PM 1 Courtland, who else was present?

12:04PM 2 A. It was me, Shawntorrian Travis, my cousin, Letorrance

12:04PM 3 Travis, Marcel Worthy, it was Aaron Hicks, Brell, OP, Jimmy

12:04PM 4 Robbs was there, and Arrington didn't come into the picture

12:05PM 5 until later.

12:05PM 6 Q. You mentioned the name OP. Who is OP?

12:05PM 7 A. He not in one of the pictures. I don't know his whole

12:05PM 8 real name. Omar.

12:05PM 9 Q. Is he a Schuele Boy?

12:05PM 10 A. Yes.

12:05PM 11 Q. And you mentioned the name Jimmy Robbs?

12:05PM 12 A. Yes.

12:05PM 13 Q. Can you -- are you familiar with Jimmy Robbs?

12:05PM 14 A. Yes.

12:05PM 15 Q. Is he a Schuele Boy?

12:05PM 16 A. Yes.

12:05PM 17 Q. Was there any time -- in addition to the kilograms that

12:05PM 18 you were observing on Courtland, did you see any money?

12:05PM 19 A. Yes.

12:05PM 20 Q. Can you discuss what observations you made?

12:05PM 21 A. I would say a million-plus.

12:05PM 22 Q. A million dollars in Courtland?

12:05PM 23 A. Yes.

12:05PM 24 Q. Who was present -- or strike that.

12:05PM 25 The Courtland house, did the operation continue to run

12:06PM 1 out of the Courtland house?

12:06PM 2 A. Not for long. Not that long.

12:06PM 3 Q. Why not?

12:06PM 4 A. They was moving it to a different location.

12:06PM 5 Q. What location was that?

12:06PM 6 A. It went from there to having stuff on Wohlers and on

12:06PM 7 Forman Street.

12:06PM 8 Q. Do you know why it stopped over on Courtland?

12:06PM 9 A. It was there too long. You don't want to be in one spot

12:06PM 10 for too long, you know, police watching, things like that,

12:06PM 11 so --

12:06PM 12 MR. ARRINGTON: Objection, Your Honor. I need

12:06PM 13 timeframes.

12:06PM 14 THE COURT: What timeframe are you talking about,

12:06PM 15 sir?

12:06PM 16 THE WITNESS: That they stopped -- the operation

12:06PM 17 stopped on Courtland?

12:06PM 18 THE COURT: Pardon me?

12:06PM 19 THE WITNESS: The timeframe of when it stopped on

12:06PM 20 Courtland?

12:06PM 21 THE COURT: Yes, best you can recall.

12:07PM 22 THE WITNESS: In the -- I would say in mid to the

12:07PM 23 ending of the summertime.

12:07PM 24 MR. ARRINGTON: What year?

12:07PM 25 THE COURT: What year was that?

12:07PM 1 THE WITNESS: In 2011.

12:07PM 2 THE COURT: Okay.

12:07PM 3 BY MR. LENIHAN:

12:07PM 4 Q. Now, Aaron Hicks, what was his role in this drug  
12:07PM 5 organization?

12:07PM 6 A. Hicks was, you know, money. The money -- and on his  
12:07PM 7 behalf and then putting money back together and, you know, so  
12:07PM 8 they could put him and my other cousin, Letorrance Travis,  
12:07PM 9 they put the money and combined it together.

12:08PM 10 Q. And what was Letorrance Travis's role?

12:08PM 11 A. Travis's role was selling the drugs and managing the  
12:08PM 12 money.

12:08PM 13 Q. How about Marcel Worthy?

12:08PM 14 A. Worthy, at first, was selling drugs and then he got too  
12:08PM 15 hot. And what I mean by saying he got too hot is, he was,  
12:08PM 16 you know, he got into some trouble and they felt he was being  
12:08PM 17 watched by police. So, they just told him to lay low, and he  
12:08PM 18 didn't have to sell the drugs. They just give him a cut.

12:08PM 19 Q. Was there any time that you got too hot?

12:08PM 20 A. Yes.

12:08PM 21 Q. Can you discuss that?

12:08PM 22 A. Yes. I got into an altercation with detectives on  
12:08PM 23 Courtland Avenue. They thought I got caught with something  
12:09PM 24 that I didn't get caught in and they figured that I was being  
12:09PM 25 watched or working with officials.

12:09PM 1 Q. What did that do to your ability to sell drugs with this  
12:09PM 2 group?  
12:09PM 3 A. They so much don't trust me, didn't want to supply me.  
12:09PM 4 Q. Why would that be?  
12:09PM 5 A. Because they thought I was working with the police.  
12:09PM 6 Q. In 2011, was Roderick Arrington involved in this drug  
12:09PM 7 conspiracy?  
12:09PM 8 A. Yes.  
12:09PM 9 Q. Was there a time where, in 2011, that this operation was  
12:10PM 10 disrupted by the -- by law enforcement?  
12:10PM 11 A. Yes.  
12:10PM 12 Q. Can you describe the circumstances of that?  
12:10PM 13 A. Yes. My cousin, Letorrance Travis, was picked up on  
12:10PM 14 Forman Street and they went inside the house. I believe it  
12:10PM 15 was four and a half, five kilograms they recovered, and then  
12:10PM 16 they recovered the rest of the kilograms out of a van that  
12:10PM 17 was parked in the garage.  
12:10PM 18 Q. And was your cousin arrested?  
12:10PM 19 A. Yes.  
12:10PM 20 Q. Do you know what agency arrested him?  
12:10PM 21 A. It was DEA, FBI.  
12:10PM 22 Q. Do you know how many kilograms were seized?  
12:10PM 23 A. In all? I would say about 15, about 15 kilograms from my  
12:11PM 24 knowledge, if I can remember that far back.  
12:11PM 25 Q. Was your cousin arrested?



12:11PM 1 A. Yes. He was arrested.

12:11PM 2 Q. Do you know who he was arrested with?

12:11PM 3 A. Not at the time, until we went to court for him. He was

12:11PM 4 arrested with, I think, it was one male was Caucasian and the

12:11PM 5 other one was a Mexican guy.

12:11PM 6 Q. The Mexican guy, do you know where he came from?

12:11PM 7 A. No.

12:11PM 8 Q. Have you ever seen that person before?

12:11PM 9 A. No.

12:11PM 10 Q. Do you know his name?

12:11PM 11 A. No.

12:11PM 12 Q. Do you know Aaron Hicks's source of supply's name?

12:11PM 13 A. No.

12:11PM 14 Q. Do you know if any money was seized by the DEA?

12:12PM 15 A. Yes. It was seized on Crossman, in a basement washing

12:12PM 16 machine I believe it was, close to 200,000 currency.

12:12PM 17 Q. Did you have knowledge as to where the kilograms of

12:12PM 18 cocaine that were seized by the DEA, where those kilograms of

12:12PM 19 cocaine came from?

12:12PM 20 A. Not at that time. It came from the source of supply, but

12:12PM 21 not actually where it was, you know, traveled or driven from.

12:12PM 22 Q. How did Letorrance Travis's arrest affect this drug

12:12PM 23 conspiracy after he got arrested?

12:12PM 24 A. There was no drugs around.

12:13PM 25 Q. There was what? I'm sorry.

12:13PM	1	A. There was no drugs around after he got arrested.
12:13PM	2	Q. Did it cause any problems in the group?
12:13PM	3	A. Yeah. You could say that people broke up kind of, you
12:13PM	4	know, some start hanging with each other and they broken up.
12:13PM	5	Q. And so, can you explain that a little bit; like, who
12:13PM	6	broke up, and how did that take place?
12:13PM	7	A. When it broke up, it was me and Worthy -- it was me and
12:13PM	8	Worthy and my cousin, Shawntorrian Travis, we was still
12:13PM	9	hanging. Hicks kind of was just on his own, doing his own
12:13PM	10	thing. Just -- it wasn't like how it was before that
12:14PM	11	happened, you know, everybody going out to the club together
12:14PM	12	and things like that, and, you know, almost seeing each other
12:14PM	13	every day to not seeing each other.
12:14PM	14	Q. And prior to that, you would see everyone every day?
12:14PM	15	A. Just about, yes, every day.
12:14PM	16	Q. In what area would you see them?
12:14PM	17	A. Either on Courtland or we'd ride around, going out, or
12:14PM	18	around my grandmother area over there on Schuele, and maybe a
12:14PM	19	party over there.
12:14PM	20	Q. Where did -- Letorrance Travis, where did he fall?
12:14PM	21	THE COURT: Where did he fall?
12:14PM	22	MR. LENIHAN: Sorry for -- I'll rephrase it.
12:14PM	23	BY MR. LENIHAN:
12:14PM	24	Q. As part of this breaking up, was there anyone that he
12:15PM	25	ended up -- Letorrance Travis ended up with?

12:15PM 1 A. Yeah. It was me, Worthy, and my cousin, Shawntorrian.

12:15PM 2 Q. How about Aaron Hicks?

12:15PM 3 A. He still came around, but they wasn't as tight as they  
12:15PM 4 was.

12:15PM 5 Q. Was there anyone that you saw that Aaron Hicks became  
12:15PM 6 close to after that?

12:15PM 7 A. No. No.

12:15PM 8 Q. How about Roderick Arrington?

12:15PM 9 MR. ARRINGTON: Objection, Your Honor. He's leading  
12:15PM 10 this witness. He just said he had no knowledge.

12:15PM 11 THE COURT: It's not leading at all. Overruled.

12:15PM 12 THE WITNESS: Arrington would be with Jimmy Robbs.  
12:15PM 13 It would be him -- the one time we left the club, it was him,  
12:16PM 14 Robbs, and Hicks was in the front driver seat. Hicks was in  
12:16PM 15 the truck with Arrington.

12:16PM 16 BY MR. LENIHAN:

12:16PM 17 Q. Are you familiar with a rap video that was created called  
12:16PM 18 "The Front Door"?

12:16PM 19 A. Yes.

12:16PM 20 Q. Were you a part of that rap video?

12:16PM 21 A. Yes.

12:16PM 22 Q. Can you explain to the jury what "The Front Door" rap  
12:16PM 23 video is?

12:16PM 24 A. The "Front Door" rap video is Sandy explaining, you know,  
12:16PM 25 in some of the rap, some of it's violence, some of it's

12:16PM 1 selling drugs; out of that very own house, some drugs been  
12:16PM 2 sold.

12:16PM 3 MR. ARRINGTON: Objection, Your Honor. He don't know  
12:17PM 4 what Sandy Jones rap --

12:17PM 5 THE COURT: You don't know what he knows. He can  
12:17PM 6 testify to what he knows. Overruled. Go ahead, sir. You may  
12:17PM 7 continue.

12:17PM 8 BY MR. LENIHAN:

12:17PM 9 Q. Were you in the "Front Door" rap video?

12:17PM 10 A. Yes.

12:17PM 11 Q. Who is the lead singer of the "Front Door" rap video?

12:17PM 12 A. Sandy. Serious Black.

12:17PM 13 Q. Have you had the opportunity to watch the "Front Door"  
12:17PM 14 rap video prior to you testifying here today?

12:17PM 15 A. Yes.

12:17PM 16 Q. And does the "Front Door" rap video accurately depict  
12:17PM 17 what transpired when this rap video was made?

12:17PM 18 A. Yes.

12:17PM 19 Q. Have you had the opportunity to look at the lyrics  
12:17PM 20 associated with the rap video?

12:17PM 21 A. Yes.

12:17PM 22 Q. And does the -- do the lyrics that are transcribed, do  
12:17PM 23 they accurately capture the words that are on video?

12:17PM 24 A. Yes.

12:17PM 25 MR. LENIHAN: Your Honor, the government would move

12:17PM 1 to admit Government 23 into evidence as well as show --

12:18PM 2 provide the jury with transcript for an aid.

12:18PM 3 THE COURT: Ladies and gentlemen -- that will be  
12:18PM 4 admitted.

12:18PM 5 (Government Exhibit 23 was received in evidence.)

12:18PM 6 THE COURT: You are about to view a music video that  
12:18PM 7 the government has offered into evidence and the Court has  
12:18PM 8 allowed it to be admitted in evidence. You are not to assume  
12:18PM 9 from the video alone that the video depicts the defendant or  
12:18PM 10 anyone else engaging in any criminal conduct or being part of  
12:18PM 11 any type of criminal association. You may attribute any or no  
12:18PM 12 evidentiary value to the video as you see it based upon what  
12:18PM 13 you see in the video in combination of all the other evidence  
12:18PM 14 in the case.

12:18PM 15 Likewise, as for the video lyrics, you are not to assume  
12:18PM 16 from the lyrics alone that the lyrics describe the defendant  
12:19PM 17 or anyone else engaged in criminal conduct or being part of a  
12:19PM 18 criminal association. You may attribute any or no evidentiary  
12:19PM 19 value to the lyrics as you see it based upon what you hear in  
12:19PM 20 the video in combination with all the other evidence in the  
12:19PM 21 case.

12:19PM 22 In addition, let me stress to you that you may not  
12:19PM 23 consider the video or its lyrics as truth that the defendant  
12:19PM 24 has a criminal propensity or a bad character. You must  
12:19PM 25 consider the video dispassionately. And even if the material

12:19PM 1 in the video or its lyrics personally are distasteful to you,  
12:19PM 2 you must not let your personal opinion affect your  
12:19PM 3 consideration of the evidence in the case.

12:19PM 4 Now, the government is going to give you a typed  
12:19PM 5 transcript of the government -- the government has prepared a  
12:20PM 6 transcript on what they have interpreted as being said in the  
12:20PM 7 video. This interpretation has not been received in evidence.  
12:20PM 8 However, the transcript is going to be -- that's given to you  
12:20PM 9 in order to aid you in listening to the video. However, the  
12:20PM 10 transcript itself is not evidence.

12:20PM 11 Therefore, when the video is played, I advise you to  
12:20PM 12 listen very carefully to the video. You alone should make  
12:20PM 13 your own interpretation of what appears in the video based on  
12:20PM 14 what you heard. If you think you heard something differently  
12:20PM 15 than that what appears in the transcript, then what you heard  
12:20PM 16 is controlling. I remind you, ladies and gentlemen, you are  
12:20PM 17 the sole judges of the facts. All right. Let's proceed from  
12:20PM 18 there.

12:20PM 19 MR. LENIHAN: Thank you, Your Honor.

12:21PM 20 THE COURT: What is the exhibit number on the video?

12:21PM 21 MR. LENIHAN: It's Exhibit 23, Your Honor.

12:21PM 22 THE COURT: And the transcript is what?

12:21PM 23 MR. LENIHAN: It's 23T. Permission to publish, Your  
12:21PM 24 Honor?

12:21PM 25 THE COURT: Yes.

12:21PM 1 BY MR. LENIHAN:

12:21PM 2 Q. Sir, I'd like to play the video once and we'll go back

12:21PM 3 and have you discuss certain things, all right?

12:21PM 4 A. Yes.

12:21PM 5 (The recording was played.)

12:24PM 6 BY MR. LENIHAN:

12:24PM 7 Q. Did you have the opportunity to watch that video, sir?

12:24PM 8 A. Yes.

12:24PM 9 Q. Did you see yourself in it?

12:24PM 10 A. Yes.

12:24PM 11 Q. A younger Mr. James?

12:24PM 12 A. Yeah.

12:24PM 13 Q. And when -- to the best you remember, when did this

12:25PM 14 video -- when was it shot?

12:25PM 15 A. 2011.

12:25PM 16 Q. Do you remember what month?

12:25PM 17 A. No, I don't remember the month, but it was summertime.

12:25PM 18 MR. LENIHAN: If we could play it again, Ms. Fulton?

12:25PM 19 (The recording was played.)

12:25PM 20 MR. LENIHAN: And stop it right there.

12:25PM 21 BY MR. LENIHAN:

12:25PM 22 Q. It says G.O.N.E. Ent. Are you familiar with what that

12:25PM 23 means?

12:25PM 24 A. Yeah. G.O.N.E., me and my cousin kind of -- we didn't

12:25PM 25 come up with that phrase for this kind of label, but we --

12:25PM 1 I'm familiar with G.O.N.E. Ent, but we, like, talked about

12:25PM 2 how fast we used to sell drugs and, you know, it would be

12:25PM 3 gone. So, I guess he came up with that name later.

12:26PM 4 MR. LENIHAN: If we can keep playing, please.

12:26PM 5 (The recording was played.)

12:26PM 6 MR. LENIHAN: You can stop it right here.

12:26PM 7 BY MR. LENIHAN:

12:26PM 8 Q. And there is a house to the left here. Stopping it at 13

12:26PM 9 seconds. Can you describe where this house is?

12:26PM 10 A. It's on Schuele between Northland and Delavan.

12:26PM 11 MR. LENIHAN: Keep playing, please.

12:26PM 12 (The recording was played.)

12:26PM 13 MR. LENIHAN: Can you stop it?

12:26PM 14 BY MR. LENIHAN:

12:26PM 15 Q. Now, we just -- the phrase, "never ever use the front

12:26PM 16 door, the trap door built on the side, clientele in the

12:26PM 17 back", what does that mean?

12:26PM 18 A. Not to use the front door. They done see too much

12:26PM 19 traffic going in and out, so use the side door.

12:27PM 20 Q. What does the term "trap door" mean?

12:27PM 21 A. Trap as in a drug house.

12:27PM 22 Q. And prior to stopping it, did you see anything associated

12:27PM 23 with drug activity?

12:27PM 24 A. Yes.

12:27PM 25 Q. What was that?



12:27PM 1 A. He was on the way in the house with a bag with money in  
12:27PM 2 it, in front.

12:27PM 3 MR. LENIHAN: If we can go back to 18 seconds quick?

12:27PM 4 BY MR. LENIHAN:

12:27PM 5 Q. At 18 seconds, can you discuss what this depicts?

12:27PM 6 A. It's counting money, and we had on the table -- we had a  
12:27PM 7 plate on the table with baking soda in it, and we had a pot  
12:27PM 8 on the stove that we was showing, like, a way of cooking up  
12:28PM 9 cocaine.

12:28PM 10 Q. Was there real cocaine being cooked at this point?

12:28PM 11 A. No.

12:28PM 12 Q. And what was the purpose of having that item over to the  
12:28PM 13 left on the table?

12:28PM 14 A. To show a synthetic weigh-up, and we had it there for  
12:28PM 15 display.

12:28PM 16 MR. LENIHAN: If we can keep playing to 22 seconds.  
12:28PM 17 (The recording was played.)

12:28PM 18 MR. LENIHAN: And if you could just go to 22 seconds.

12:28PM 19 BY MR. LENIHAN:

12:28PM 20 Q. And there is a picture of an individual? Do you  
12:28PM 21 recognize that individual?

12:28PM 22 A. Yes.

12:28PM 23 Q. Who is that?

12:28PM 24 A. It's Will Pop.

12:28PM 25 Q. And why is there a picture of him being shown?

12:28PM	1	A. He was killed.
12:28PM	2	Q. Where was he killed?
12:28PM	3	A. City Grill.
12:28PM	4	Q. Was anyone else killed at the City Grill?
12:29PM	5	A. Yes.
12:29PM	6	Q. Who was that?
12:29PM	7	A. It was Marcel Worthy's girlfriend, Tia. I believe it was
12:29PM	8	her sister, Tiffany, and couple other individuals I wasn't
12:29PM	9	familiar with, they were shot. They were shot and killed.
12:29PM	10	Q. Were you present?
12:29PM	11	A. Yes.
12:29PM	12	Q. And we just heard the lyrics, "keep your work close by
12:29PM	13	and you gotta stay strapping". What does that mean?
12:29PM	14	A. Keep the work close by, the purpose of --
12:29PM	15	MR. ARRINGTON: Objection, Your Honor. He didn't
12:29PM	16	write these rap lyrics. He don't know what these things mean,
12:29PM	17	Your Honor.
12:29PM	18	THE COURT: Overruled. You'll be able to cross-
12:29PM	19	examine him.
12:29PM	20	THE WITNESS: Keep your work close by, so you can hit
12:29PM	21	a lick, and a lick is a customer, and keep your strap, meaning
12:30PM	22	use a gun.
12:30PM	23	MR. LENIHAN: You can keep playing.
12:30PM	24	(The recording was played.)
12:30PM	25	MR. LENIHAN: Okay. Stop it.

12:30PM 1 BY MR. LENIHAN:

12:30PM 2 Q. Their lyric was, "Don't be talking on the phone. It's  
12:30PM 3 too hot for all of that. Yup." What does that mean?

12:30PM 4 A. Not to be talking on the phone in case the Feds is  
12:30PM 5 listening in and the DEA.

12:30PM 6 Q. Are you worried about a wiretap investigation?

12:30PM 7 A. Yes.

12:30PM 8 Q. And then the person that's depicted right here at 26  
12:30PM 9 seconds in the middle, who is that?

12:30PM 10 A. Grey shirt?

12:30PM 11 Q. Yes.

12:30PM 12 A. That's Aaron Hicks.

12:30PM 13 Q. How about the person in the light blue shirt right next  
12:30PM 14 to Hicks?

12:30PM 15 A. Marcel Worthy.

12:30PM 16 MR. LENIHAN: We can keep playing, please.

12:30PM 17 (The recording was played.)

12:30PM 18 MR. LENIHAN: Stop it right there.

12:30PM 19 BY MR. LENIHAN:

12:30PM 20 Q. Now, there's a bunch of individuals that are depicted  
12:30PM 21 here at 30 seconds. Starting from left to right -- and like  
12:31PM 22 the Judge mentioned previously, when you point to or when you  
12:31PM 23 pick out a person, can you just point to who they are? So,  
12:31PM 24 starting from the left.

12:31PM 25 A. Yes. Red shirt is Black. Second here, that's Marcel

12:31PM 1 Worthy in the blue.

12:31PM 2 THE COURT: Hit the screen when you are referring to  
12:31PM 3 each individual, okay, so we know for sure who you are talking  
12:31PM 4 about.

12:31PM 5 THE WITNESS: Yes, but I tapped it. It doesn't show.  
12:31PM 6 I touched the person where --the first one in the red is  
12:31PM 7 Black. Second person in the blue shirt on is Worthy. Third  
12:31PM 8 person is Arrington. The fourth person, I forgot his name.  
12:31PM 9 And in the middle, you got Sandy, the rapper. Next to Sandy  
12:32PM 10 is my cousin, Shawntorrian Travis with the red shirt, plaid  
12:32PM 11 shorts. Next to him is me, white T-shirt. The guy next to  
12:32PM 12 me, I forgot his name. And the other guy right here with the  
12:32PM 13 brown, older guy, I forgot his name as well. And that's  
12:32PM 14 Sandy's father, the very last to the right in the blue shirt,  
12:32PM 15 collared shirt.

12:32PM 16 MR. LENIHAN: We can keep playing, please.

12:32PM 17 (The recording was played.)

12:32PM 18 MR. LENIHAN: We can just back it up to 53 seconds  
12:33PM 19 and start at 52? Right there.

12:33PM 20 (The recording was played.)

12:33PM 21 BY MR. LENIHAN:

12:33PM 22 Q. So, at 52 seconds, there is a female that's pictured?

12:33PM 23 A. Yes.

12:33PM 24 Q. Who is that female?

12:33PM 25 A. Marcel Worthy's girlfriend, Tia.

12:33PM 1 Q. And was she shot and killed at the City Grill incident?

12:33PM 2 A. Yes.

12:33PM 3 MR. LENIHAN: If we can play it and stop it at 53.

12:33PM 4 (The recording was played.)

12:33PM 5 BY MR. LENIHAN:

12:33PM 6 Q. And then the person to the left, do you recognize who

12:33PM 7 that person is?

12:33PM 8 A. Yes. Arrington.

12:33PM 9 Q. And how about next to him?

12:33PM 10 A. Next to him, I forgot his name, the guy in the middle.

12:34PM 11 Q. Then the person to the right with the light blue?

12:34PM 12 A. That's my cousin, Letorrance Travis.

12:34PM 13 Q. Then you mentioned that this was in the Summer of 2011?

12:34PM 14 A. Yes.

12:34PM 15 Q. During this time, was Mr. Arrington -- did he have --

12:34PM 16 what was his hairstyle like?

12:34PM 17 A. Back in 2011?

12:34PM 18 Q. Yes.

12:34PM 19 A. It was, like, the way it is at the time.

12:34PM 20 Q. Okay. With braids?

12:34PM 21 A. Yes.

12:34PM 22 MR. LENIHAN: We can keep playing.

12:34PM 23 (The recording was played.)

12:34PM 24 MR. LENIHAN: Stop it right there. If we can go to

12:34PM 25 1:04.

12:34PM	1	BY MR. LENIHAN:
12:34PM	2	Q. Now, the line, "Welcome to the game. Welcome to the
12:35PM	3	grind. Thirty-six in a brick, sixteen in a pound. You take
12:35PM	4	it to the trap, you break it all down", what is that in
12:35PM	5	reference to?
12:35PM	6	A. Thirty-six ounces in a kilogram, sixteen ounces in a
12:35PM	7	pound of marijuana. Take it to the trap means break it down
12:35PM	8	as in selling smaller quantities instead of selling it as a
12:35PM	9	whole, as a one.
12:35PM	10	Q. Can you describe to the jury how you would break
12:35PM	11	something down and why you would break something down?
12:35PM	12	A. Break it down and make more money. And how I would break
12:35PM	13	it down, if it was a kilogram, I would weigh it up in all
12:35PM	14	ounces, and I might add an additive to it to make more money.
12:36PM	15	And the same additive, you can add baking soda or anything --
12:36PM	16	not anything, but as long as it's compatible with cocaine and
12:36PM	17	added to it to put more weight on it minimum.
12:36PM	18	Q. And can you describe that? Why would you add to the
12:36PM	19	cocaine?
12:36PM	20	A. To make more money. You can take come of the cocaine out
12:36PM	21	and then put that with whatever you took out. You can add
12:36PM	22	that with it 'til let's say we got 28 grams of cocaine
12:36PM	23	powder, you could take might be eight grams of that and then
12:36PM	24	replace it with eight grams of either baking soda or a
12:36PM	25	different kind of additive to put the weight back and then

12:37PM 1 you can make more money like that.

12:37PM 2 Q. Then you would take eight grams of cocaine, add eight

12:37PM 3 grams of another powder?

12:37PM 4 A. Either eight or five grams or three.

12:37PM 5 Q. Then you would have anywhere from 12 to 16 grams to

12:37PM 6 resale?

12:37PM 7 A. Yes.

12:37PM 8 Q. And that would allow you to what?

12:37PM 9 A. Allow me to make more money to spend on different things

12:37PM 10 or whatever the case may have been or outfit or bills or --

12:37PM 11 Q. Is that common in drug dealing, to add powder to a

12:37PM 12 substance?

12:37PM 13 A. Yes.

12:37PM 14 Q. If there's individual at table there's a significance of

12:37PM 15 that, a pure at 1 minute and 4 seconds?

12:37PM 16 A. You say significant?

12:37PM 17 Q. Strike that. Who is at the table?

12:38PM 18 A. It's me, my cousin, Letorrance Travis, got Shawntorrian

12:38PM 19 Travis, got Aaron Hicks, got Marcel Worthy and we got Sandy.

12:38PM 20 MR. LENIHAN: We can keep playing, please.

12:38PM 21 (The recording was played.)

12:38PM 22 MR. LENIHAN: Stop it right there.

12:38PM 23 BY MR. LENIHAN:

12:39PM 24 Q. Was the line -- did you hear the line where it says,

12:39PM 25 "fuck around with me, you are going to come up on a mill"?

12:39PM 1 A. Yes.

12:39PM 2 Q. What did you interpret that to mean?

12:39PM 3 A. He's basically saying, you hang around with me, this

12:39PM 4 is -- what is the outcome of it. You ain't going to be

12:39PM 5 making money and coming up on a mill saying you are going to

12:39PM 6 make a million.

12:39PM 7 MR. LENIHAN: Can we keep playing?

12:39PM 8 (The recording was played.)

12:39PM 9 BY MR. LENIHAN:

12:40PM 10 Q. So, the people that we saw here during the video, were

12:40PM 11 these individuals that were involved in drug dealing?

12:41PM 12 A. Yes.

12:41PM 13 Q. Including Aaron Hicks?

12:41PM 14 A. Including, yes, Hicks.

12:41PM 15 Q. Letorrance Travis?

12:41PM 16 A. Yes.

12:41PM 17 Q. Marcel Worthy?

12:41PM 18 A. Yes.

12:41PM 19 Q. Roderick Arrington?

12:41PM 20 A. Yes.

12:41PM 21 Q. Are you aware that there was another video that was shot

12:41PM 22 at Russell's Steakhouse?

12:41PM 23 THE COURT: All right. What I think we'll do is take

12:41PM 24 a break at this time, ladies and gentlemen, and we'll take our

12:41PM 25 luncheon recess and we'll resume at 2 o'clock. Again, during



12:41PM 1 the recess, please do not discuss the case with anyone. Do  
12:41PM 2 not discuss it among yourselves. Enjoy your lunch, folks, and  
12:41PM 3 we'll see you back here at 2 o'clock. Court will be in  
12:41PM 4 recess.

12:41PM 5 THE CLERK: All rise.

12:44PM 6 (A recess was taken from 12:44 to 2:03 p.m.)

02:09PM 7 (The jury entered the room at 2:09 p.m.)

02:11PM 8 (The witness entered the room at 2:11 p.m.)

02:11PM 9 THE COURT: Sir, you are still under oath.

02:11PM 10 THE WITNESS: Yes.

02:11PM 11 THE COURT: Take your mask off. All right.

02:11PM 12 Mr. Lenihan?

02:11PM 13 MR. LENIHAN: Thank you, Your Honor.

02:11PM 14 BY MR. LENIHAN:

02:11PM 15 Q. Mr. James, we left off -- we were watching the "Front  
02:11PM 16 Door" video. You remember that?

02:11PM 17 A. Yes.

02:11PM 18 Q. Did that video -- does that depict the life on Schuele  
02:11PM 19 Street?

02:11PM 20 A. I'm taking my time before I answer because I don't want  
02:12PM 21 to say all of it, but mostly yes.

02:12PM 22 Q. Well, what mostly?

02:12PM 23 A. The house. It was just the house. Like, we been there,  
02:12PM 24 but not actually hustle out of that house, sold drugs.

02:12PM 25 That's probably the only part about it.

02:12PM 1 Q. So, the discussion about drug dealing, was that about --

02:13PM 2 was that -- would that accurately describe the life on

02:13PM 3 Schuele Street?

02:13PM 4 A. Yes.

02:13PM 5 Q. Now, I want to talk to you about a person by the name of

02:13PM 6 Walter Davison. Do you know who that is?

02:13PM 7 A. Walter Davison?

02:13PM 8 Q. Do you know someone who went by the nickname Matt?

02:13PM 9 A. Yes.

02:13PM 10 Q. How did you know Matt?

02:13PM 11 A. I met Matt through my cousin, Letorrance Travis.

02:13PM 12 Q. And can you just give the jury an understanding as to who

02:13PM 13 Matt was?

02:13PM 14 A. Matt was from Cleveland, Ohio. He was selling marijuana

02:13PM 15 and crack, but most part Matt it was, you know, friendly. He

02:13PM 16 was a, you know, like peoples' person. He wouldn't hurt

02:14PM 17 nobody or anything like that to the -- to my knowledge, but

02:14PM 18 Matt used to be on Carl Street and we sold weed out of the

02:14PM 19 house, and sold crack cocaine, and he went out, party with

02:14PM 20 us, and things like that.

02:14PM 21 Q. Did you get along with Matt?

02:14PM 22 A. Yes.

02:14PM 23 Q. Did everyone seem to get along with Matt?

02:14PM 24 A. Yes.

02:14PM 25 Q. You mentioned that he was selling marijuana as well as

02:14PM 1 crack cocaine?

02:14PM 2 A. Mm-hmm.

02:14PM 3 Q. Where was he selling those drugs from?

02:14PM 4 A. On Carl Street.

02:14PM 5 Q. Do you know where he was living on Carl Street?

02:14PM 6 A. I think it was the second house on the left from Carl and

02:14PM 7 Delevan.

02:14PM 8 Q. Who was supplying Matt with the drugs?

02:14PM 9 A. Hicks.

02:14PM 10 Q. Do you know if Hicks got along with Matt?

02:14PM 11 A. Yes.

02:14PM 12 Q. Were you -- when you were -- was there times when you

02:15PM 13 were with Matt?

02:15PM 14 A. Yes. There's been times I've been with Matt.

02:15PM 15 Q. Selling drugs?

02:15PM 16 A. I was at the house, yeah, selling drugs. We all used to

02:15PM 17 be outside playing basketball, sit on the porch, in the

02:15PM 18 house, drinking, smoking, and we would be selling drugs.

02:15PM 19 Q. Was there -- when Matt was selling drugs, did he, to your

02:15PM 20 knowledge, ever get arrested?

02:15PM 21 A. No, not to my knowledge. He wasn't arrested, but he did

02:15PM 22 take a case for Hicks before. Well, he got arrested for

02:15PM 23 that. He took a charge for someone else for Hicks.

02:15PM 24 Q. What does that mean, taking a charge?

02:15PM 25 A. That's, like, if somebody is in the car with me --

02:15PM 1 THE DEFENDANT: Objection, Your Honor. If -- he  
02:15PM 2 wouldn't know that.

02:15PM 3 THE COURT: You can cross-examine him on that.  
02:15PM 4 Overruled. You will be able to cross-examine him on that.

02:16PM 5 THE WITNESS: If -- say I'm in a car with someone and  
02:16PM 6 we get pulled over. They can't charge two people with the  
02:16PM 7 same thing, which -- they can, but before they do do it,  
02:16PM 8 somebody own up to it and claim it before they take two of you  
02:16PM 9 guys.

02:16PM 10 BY MR. LENIHAN:

02:16PM 11 Q. When Matt took a case, what did that do for his  
02:16PM 12 reputation?

02:16PM 13 THE COURT: What do you mean, take a case?

02:16PM 14 MR. LENIHAN: That's the witness's words.

02:16PM 15 THE COURT: Oh. All right.

02:16PM 16 THE DEFENDANT: That's what I was objecting to, Your  
02:16PM 17 Honor.

02:16PM 18 THE WITNESS: Boosted up, you know, his  
02:16PM 19 representation; make a more likeable person, you know, want to  
02:16PM 20 keep him around.

02:16PM 21 BY MR. LENIHAN:

02:16PM 22 Q. Why would that be?

02:16PM 23 A. Because he took the charge and he stood up. He didn't  
02:16PM 24 have to take it, but he took it.

02:17PM 25 Q. Did there become a -- was there a day in August of 2012

02:17PM 1 did you learn that Matt had been murdered?

02:17PM 2 A. Yes.

02:17PM 3 Q. How did you learn Matt had been murdered?

02:17PM 4 A. A female friend of mines.

02:17PM 5 THE DEFENDANT: Objection. Hearsay. We don't know

02:17PM 6 who this girl is. Nobody never seen this girl. She didn't

02:17PM 7 testify. We don't know if this girl even exists.

02:17PM 8 MR. LENIHAN: I'm not asking what the girl said.

02:17PM 9 It's not hearsay.

02:17PM 10 THE COURT: Overruled. Go ahead.

02:17PM 11 BY MR. LENIHAN:

02:17PM 12 Q. Did this female provide you with information?

02:17PM 13 A. Yes.

02:17PM 14 Q. What did you do with that information?

02:17PM 15 A. After she provided me the information, we went around

02:17PM 16 over on Grider and I told them, well, it was me, Hicks,

02:18PM 17 Arrington, Robbs, my cousin Letorrance Travis, Shawntorrian

02:18PM 18 Travis, OP was there, and Worthy was there, also. And I

02:18PM 19 relayed the message to them about what she said when we was

02:18PM 20 on the porch, and I told her that they wanted to come around

02:18PM 21 and talk to her about it, but it was only the police at the

02:18PM 22 scene.

02:18PM 23 So, when I was telling Arrington and Hicks and everybody

02:18PM 24 on the porch what happened and stuff, she got kind of scared

02:18PM 25 like thinking something is going to happen to her. I said,

02:18PM 1 no. They're not going to do nothing to you. Tell them what  
02:18PM 2 you told me.

02:18PM 3 Q. And you relayed the message to Aaron Hicks?

02:18PM 4 A. It was Hicks on the porch, Robbs, Arrington, OP, my  
02:19PM 5 cousin Shawntorrian Travis, Letorrance Travis, and Jimmy  
02:19PM 6 Robbs.

02:19PM 7 Q. And after you relayed the information to them, what  
02:19PM 8 happened next?

02:19PM 9 A. Guy that did the killing, he got killed.

02:19PM 10 Q. Who was that?

02:19PM 11 A. Quincy. I know him by Gottie, street name. Quincy is  
02:19PM 12 his real name.

02:19PM 13 Q. Did you have any conversation with anybody related to  
02:19PM 14 seeking revenge?

02:19PM 15 A. I believe that was the wake. We was on Jefferson at the  
02:19PM 16 wake and after, you know, the wake, we all went outside.

02:19PM 17 Q. Whose wake was that?

02:20PM 18 A. That was Matt's. And we was outside and they talked  
02:20PM 19 about it. It was, you know, everyone that I said was on the  
02:20PM 20 porch; Arrington, Hicks, Robbs, my cousins was there, and  
02:20PM 21 they say they was going to catch up with him.

02:20PM 22 Q. Who said catch up?

02:20PM 23 THE COURT: Just one second. Ladies and gentlemen,  
02:20PM 24 would you step in the jury room?

02:20PM 25 (The jury left the room at 2:20 p.m.)

02:25PM	1	(The witness left the room at 2:20 p.m.)
02:25PM	2	(The jury entered the room at 2:25 p.m.)
02:25PM	3	(The witness entered the room at 2:25 p.m.)
02:25PM	4	THE COURT: All right. Mr. Lenihan?
02:25PM	5	MR. LENIHAN: Thank you, Your Honor.
02:25PM	6	THE COURT: Ladies and gentlemen, sorry I keep
02:26PM	7	getting you in and out. It's just, things have to be
02:26PM	8	addressed at certain points in a trial and it's not uncommon.
02:26PM	9	I appreciate your patience. Believe me, I'm not doing it to
02:26PM	10	have you waiting around. I'm doing the best I can to avoid
02:26PM	11	that as much as possible.
02:26PM	12	MR. LENIHAN: Thank you.
02:26PM	13	BY MR. LENIHAN:
02:26PM	14	Q. Now, Mr. James, you were -- testified that you were at
02:26PM	15	Matt's wake?
02:26PM	16	A. Yes.
02:26PM	17	Q. And there was a group of individuals that were outside of
02:26PM	18	the wake?
02:26PM	19	A. Yes.
02:26PM	20	Q. Who were those individuals?
02:26PM	21	A. Going back, that's me, Letorrance Travis, Shawntorrian
02:26PM	22	Travis, Hicks, Robbs, Worthy, OP, Arrington.
02:26PM	23	Q. And what was everyone's demeanor like?
02:27PM	24	A. Everyone was upset.
02:27PM	25	Q. Was there any discussion that was going on?

02:27PM 1 A. Yes, talk about catching up with Quincy and when they  
02:27PM 2 catch up with him, they're going to kill him.

02:27PM 3 Q. Who is they?

02:27PM 4 A. That was the -- well, not my cousin, but Hicks, Robbs,  
02:27PM 5 Worthy, Arrington.

02:27PM 6 Q. Had you heard Mr. Arrington used the term "catching up"  
02:27PM 7 with you again?

02:27PM 8 THE DEFENDANT: Objection, Your Honor. He never  
02:27PM 9 said -- he never put a name on it.

02:27PM 10 THE COURT: Overruled. You're testifying.

02:27PM 11 THE DEFENDANT: I'm testifying?

02:27PM 12 THE COURT: Yes.

02:27PM 13 THE DEFENDANT: I object. He said -- he just said  
02:28PM 14 the word catching up --

02:28PM 15 THE COURT: You said he never said that to me.

02:28PM 16 That's testifying. You make an objection, fine. Overruled.  
02:28PM 17 You may answer, sir, the best you can, the best as you recall.

02:28PM 18 THE WITNESS: Yes. It was all of individuals there.

02:28PM 19 BY MR. LENIHAN:

02:28PM 20 Q. What -- who? I'm sorry.

02:28PM 21 A. It was all individuals.

02:28PM 22 Q. I'd like to ask you about an incident that happened late  
02:28PM 23 2012, early 2013. Were you the victim of a robbery?

02:28PM 24 A. Yes.

02:28PM 25 THE COURT: Just one second. I stand corrected. You



02:28PM 1 were not testifying, Mr. Arrington. I stand corrected on  
02:28PM 2 that.

02:28PM 3 THE DEFENDANT: Thank you.

02:28PM 4 THE COURT: The jury will disregard what I said in  
02:29PM 5 that regard. I misinterpreted what was being said. All  
02:29PM 6 right. You may go from there, Mr. Lenihan.

02:29PM 7 MR. LENIHAN: Thank you, Your Honor.

02:29PM 8 BY MR. LENIHAN:

02:29PM 9 Q. You mentioned you were the victim of a robbery?

02:29PM 10 A. Yes.

02:29PM 11 Q. Did you express to anyone that you were a victim?

02:29PM 12 A. Yeah. I told my cousin about it, Letorrance Travis. I  
02:29PM 13 also told Arrington.

02:29PM 14 Q. How did Mr. Arrington respond to you?

02:29PM 15 A. Him and my cousin was in a front of a house and my cousin  
02:29PM 16 was in a car and my cousin pulled up. Arrington got out. We  
02:29PM 17 talked. He said he'd do it for family price at \$5,000. He  
02:29PM 18 know the person that robbed me, stuff like that, and he said  
02:29PM 19 the price he would do it for the family price.

02:30PM 20 Q. Do what for \$5,000?

02:30PM 21 A. Kill a guy.

02:30PM 22 Q. Did you pay him the \$5,000?

02:30PM 23 A. No.

02:30PM 24 Q. What was your reaction?

02:30PM 25 A. My reaction was, it was normal. It was, like, I think

02:30PM 1 about it. Just -- he said a family price and I was like,  
02:30PM 2 okay. Tell him I'll get with him and let him know.

02:30PM 3 Q. Did you ever get back to him?

02:30PM 4 A. No.

02:30PM 5 Q. What was Mr. Arrington's reputation in the Schuele Boys?

02:30PM 6 A. His reputation, he putting in work. You would know not  
02:31PM 7 to mess with people in a group.

02:31PM 8 THE DEFENDANT: Objection.

02:31PM 9 THE COURT: Overruled.

02:31PM 10 THE WITNESS: You know somebody not to mess with  
02:31PM 11 somebody out of the circle or there was consequences to pay.

02:31PM 12 BY MR. LENIHAN:

02:31PM 13 Q. What does the term putting in work mean?

02:31PM 14 A. Shooting. Killing.

02:31PM 15 Q. When you were around a member of the Schuele Boys, was  
02:31PM 16 there any discussion of violence?

02:31PM 17 A. Yes.

02:31PM 18 Q. In your experience, if somebody committed murder, did  
02:31PM 19 that person keep the firearm they used to commit the murder?

02:32PM 20 A. No.

02:32PM 21 Q. Why not?

02:32PM 22 A. So it don't trace back to him.

02:32PM 23 Q. You mentioned back in November of 2011 that you sort of  
02:32PM 24 you splintered or the groups -- there was a fracture in the  
02:32PM 25 group after Letorrance Travis's arrest.

02:32PM 1 A. Yes.

02:32PM 2 Q. Did you know any of the people that were arrested with

02:32PM 3 Letorrance Travis?

02:32PM 4 A. No.

02:32PM 5 Q. Are you aware if there was any -- were you familiar with

02:33PM 6 people that was -- that were a part of the drug conspiracy?

02:33PM 7 A. Yes.

02:33PM 8 Q. As well as nicknames?

02:33PM 9 A. Yes.

02:33PM 10 Q. I'd like to show you what's been premarked as Government

02:33PM 11 Exhibit 25B and 29.

02:33PM 12 THE DEFENDANT: I object to that, Your Honor. He's

02:33PM 13 trying to bring in some ledgers that he don't have any

02:33PM 14 knowledge of this. He's not the author of them. He didn't

02:33PM 15 write those names on there. He's about to testify to

02:33PM 16 something that don't have anything to do with him. And the

02:33PM 17 government is trying to bring that in. I'm objecting to it.

02:33PM 18 I don't understand the relevance, and he's not the one that

02:33PM 19 authorize, so he would not be able to tell who names -- he'd

02:33PM 20 be guessing who name on these ledgers.

02:34PM 21 THE COURT: Overruled. Go ahead, Mr. Lenihan.

02:34PM 22 MR. LENIHAN: Thank you, Your Honor. I'm going to

02:34PM 23 approach the witness with what's been premarked Government

02:34PM 24 Exhibit 25B and 29.

02:34PM 25

02:34PM 1 BY MR. LENIHAN:

02:34PM 2 Q. On Government Exhibit 25B, do you recognize anyone?

02:34PM 3 THE COURT: Just a second. Just a second. All

02:35PM 4 right. You may continue.

02:35PM 5 BY MR. LENIHAN:

02:35PM 6 Q. Do you recognize any name on Government Exhibit 25B?

02:35PM 7 A. Yes.

02:35PM 8 Q. Can you discuss all the names that you recognize?

02:35PM 9 A. Yeah. Wheezy, Ra and Breeze and Scrunchy.

02:35PM 10 Q. Do you recognize those to be individuals that are part of

02:35PM 11 the drug conspiracy?

02:35PM 12 THE COURT: Do you recognize this document, sir?

02:35PM 13 THE WITNESS: Yes.

02:35PM 14 THE COURT: What is it?

02:35PM 15 THE WITNESS: It was part of the conspiracy, the

02:36PM 16 other --

02:36PM 17 THE COURT: Have you seen this before during back in

02:36PM 18 2011 or whatever it was? Where have you seen this before? A

02:36PM 19 better question, do you recognize this as a document that was

02:36PM 20 being used during this period of time that the Schuele Boys

02:36PM 21 allegedly were involved in some drug activity?

02:36PM 22 THE WITNESS: Yes.

02:36PM 23 THE COURT: Okay. Go ahead.

02:36PM 24 MR. LENIHAN: And we're going to be -- I'm not going

02:36PM 25 to formally enter it at this point. It's going to be entered

02:36PM 1 at a later date, but I'm just looking to have the witness  
02:36PM 2 identify names.

02:36PM 3 THE COURT: All right. Overruled. You may admit it  
02:36PM 4 in evidence.

02:36PM 5 (Government Exhibit 25B was received in evidence.)

02:36PM 6

02:36PM 7 BY MR. LENIHAN:

02:36PM 8 Q. What does Government Exhibit 25B appear to be in our  
02:36PM 9 experience?

02:36PM 10 A. This is drugs and money that's out there that's owed.

02:37PM 11 Q. You mention the name Ra. Who do you know that to be?

02:37PM 12 A. Ra?

02:37PM 13 Q. Yeah.

02:37PM 14 A. In the corner. Rah Rah.

02:37PM 15 THE DEFENDANT: Objection, Your Honor. He never seen  
02:37PM 16 this before. He don't even know where it came from, who it  
02:37PM 17 is. He's just going along what the government saying. It's  
02:37PM 18 not fair. He don't know where this came from, whose it is or  
02:37PM 19 who authored it.

02:37PM 20 THE COURT: What was -- did you see this document  
02:37PM 21 during the time that you were selling drugs and the Schuele  
02:37PM 22 Boys were selling drugs?

02:37PM 23 THE WITNESS: Yes, Your Honor.

02:37PM 24 THE COURT: What period of time were you talking  
02:37PM 25 about 2011, '12 when?

02:37PM 1 THE WITNESS: 2011.

02:37PM 2 THE COURT: 2011. You have seen this before?

02:37PM 3 THE WITNESS: Yes.

02:37PM 4 THE COURT: Where did you see it?

02:37PM 5 THE WITNESS: Family members. My cousin keeping

02:37PM 6 tabs.

02:37PM 7 THE COURT: Your cousin?

02:38PM 8 THE WITNESS: Letorrance Travis.

02:38PM 9 THE COURT: Mr. Travis? All right. Go ahead.

02:38PM 10 BY MR. LENIHAN:

02:38PM 11 Q. How about Government Exhibit 29? Are there any names

02:38PM 12 that you recognize on Government Exhibit 29?

02:38PM 13 A. Yes.

02:38PM 14 Q. What names do you recognize on Government Exhibit 29?

02:38PM 15 A. Got Ra, Wheeze, OP, Guch, Ant, and Brell. That's all.

02:38PM 16 THE DEFENDANT: Your Honor, I object again. That's

02:38PM 17 my -- you spell my nickname R-A-H. He keeps saying R-A. He's

02:39PM 18 not saying who Ra is. He's can't say it's me because my name

02:39PM 19 is spelled R-A-H, not R-A. He's testifying to Ra relating it

02:39PM 20 as me, Your Honor, and he's not the person that wrote this.

02:39PM 21 He don't even know who these people is. He just testifying.

02:39PM 22 This wasn't even admitted at my first proceeding that I had in

02:39PM 23 this courtroom. He never testified --

02:39PM 24 THE COURT: You can cross-examine him when you are up

02:39PM 25 for cross-examination. Overruled. Go ahead.

02:39PM	1	BY MR. LENIHAN:
02:39PM	2	Q. Mr. James, what does Government 29 appear to be?
02:39PM	3	A. Same. Drugs.
02:39PM	4	Q. Are you familiar with a drug ledger?
02:39PM	5	A. Yes.
02:39PM	6	Q. Why would somebody keep a drug ledger as part of being
02:39PM	7	involved in drug dealing?
02:39PM	8	A. That way you don't lose who owe them money. Dealing with
02:40PM	9	so many people, you forget.
02:40PM	10	Q. Now, I want to ask you about -- do you remember pleading
02:40PM	11	guilty in October of 2016?
02:40PM	12	A. Yes.
02:40PM	13	Q. Do you remember what your sentencing guidelines range
02:40PM	14	was?
02:40PM	15	A. It was -- I know it was 41.
02:40PM	16	THE COURT: Remember pleading guilty to what?
02:40PM	17	MR. LENIHAN: He testified earlier about the charge.
02:40PM	18	THE COURT: Can you make a better foundation please?
02:40PM	19	MR. LENIHAN: I will.
02:40PM	20	BY MR. LENIHAN:
02:40PM	21	Q. Did you plead guilty before thi court in 2016?
02:40PM	22	A. Yes.
02:40PM	23	Q. To what charge?
02:40PM	24	A. Conspiracy and intent to distribute cocaine, crack.
02:41PM	25	Q. Do you remember what your guideline range was?

02:41PM 1 A. Not the actual guideline range. Sentencing was like, 41  
02:41PM 2 to 51 months.

02:41PM 3 MR. LENIHAN: No further questions, Your Honor.

02:41PM 4 THE DEFENDANT: Your Honor before, I start  
02:41PM 5 questioning with this witness can we excuse the jurors please  
02:41PM 6 so we can address this issue?

02:41PM 7 THE COURT: All right. Ladies and gentlemen?  
02:41PM 8 (The jury left the room at 2:42 p.m.)  
03:31PM 9 (The witness entered the room at 3:30 p.m.)  
03:31PM 10 (The jury entered the room at 3:31 p.m.)

03:31PM 11 THE COURT: All right. Mr. Arrington, you may cross-  
03:31PM 12 examine, sir.

03:31PM 13

03:31PM 14 CROSS-EXAMINATION

03:31PM 15

03:32PM 16 BY THE DEFENDANT:

03:32PM 17 Q. Your plea agreement and possible sentence. You pled  
03:32PM 18 guilty to Count 1 of an indictment which charges a violation  
03:32PM 19 of Title 21, USC, Section 846, conspiracy to possess with  
03:32PM 20 intent to distribute and distribution of 500 grams or more of  
03:32PM 21 cocaine, correct?

03:32PM 22 A. Yes.

03:32PM 23 Q. And that was up under a different indictment, not this  
03:32PM 24 indictment, correct?

03:32PM 25 A. What do you mean not this indictment?



03:32PM 1 Q. That charge, those charges, was up under a different  
03:32PM 2 indictment, not this indictment, correct?

03:32PM 3 A. 2014?

03:32PM 4 Q. Yes. But it's not this indictment, right?

03:32PM 5 A. No.

03:32PM 6 Q. Okay. And that conspiracy you was charged with, was it  
03:32PM 7 targeted telephone wiretap involved in that case?

03:32PM 8 A. Yes.

03:32PM 9 Q. Okay. Do you know how long Special Agent Vanessa Paris  
03:33PM 10 was investigating that case with wiretap surveillance?

03:33PM 11 A. Not that I can remember right now. No.

03:33PM 12 Q. Okay. In that plea for which the minimum possible  
03:33PM 13 sentence is a term of imprisonment of five years and a  
03:33PM 14 maximum possible sentence is a term of imprisonment of 40  
03:33PM 15 years, correct?

03:33PM 16 A. Yes.

03:33PM 17 Q. That's what you was facing, right?

03:33PM 18 A. Yes.

03:33PM 19 Q. Okay. And you had a supervised release condition up to  
03:33PM 20 four years and up to life, correct?

03:33PM 21 A. Yes.

03:33PM 22 Q. And okay. And then, in your cooperation agreement, it  
03:33PM 23 was conditions that was a part of your supervised release  
03:34PM 24 that you had to follow and you could not violate those terms,  
03:34PM 25 correct?

03:34PM	1	A. Violate the terms of?
03:34PM	2	Q. Up under your cooperation agreement, it states as part of
03:34PM	3	the conditions of supervised release that you are not to
03:34PM	4	violate any terms of those conditions, correct, getting in
03:34PM	5	trouble, committing crimes? A part of your agreement,
03:34PM	6	cooperation agreement, you was not to commit any crimes,
03:34PM	7	correct?
03:34PM	8	A. That wasn't part of the agreement.
03:34PM	9	Q. If I show you a copy of your agreement, would it refresh
03:34PM	10	your recollection?
03:34PM	11	A. Yeah.
03:34PM	12	THE COURT: Mr. Foti, what are you going to do now,
03:34PM	13	Mr. Arrington?
03:34PM	14	THE DEFENDANT: Show him a copy of it.
03:34PM	15	THE COURT: Mr. Foti, would you bring it over to --
03:34PM	16	MR. FOTI: Yes.
03:35PM	17	THE COURT: Is there an exhibit number on that?
03:35PM	18	MR. FOTI: Government Exhibit 3502B and 3502J.
03:36PM	19	THE WITNESS: I read it.
03:36PM	20	THE COURT: You have had a chance to review those two
03:36PM	21	documents, sir?
03:36PM	22	THE WITNESS: Yeah. He didn't say what page.
03:36PM	23	THE COURT: Don't tell me. You reviewed it?
03:36PM	24	THE WITNESS: Yes, sir.
03:36PM	25	THE COURT: All right. Mr. Arrington?

03:36PM 1 BY THE DEFENDANT:

03:36PM 2 Q. Do 3502J refresh your recollection?

03:36PM 3 A. Yeah, it doesn't say that on probation that you are not  
03:37PM 4 supposed to get in trouble or anything. It says up until the  
03:37PM 5 date of sentencing.

03:37PM 6 Q. Just want to -- on 3 -- I mean, 7C of the cooperation  
03:37PM 7 agreement, 3502J on page 3 on top of the page?

03:37PM 8 A. 7C?

03:38PM 9 Q. No, 7C. Yes.

03:38PM 10 A. It says it's a condition of this agreement that up  
03:38PM 11 through the date of the defendant's sentence the defendant  
03:38PM 12 shall commit no further crimes. It's also condition of this  
03:38PM 13 agreement that the defendant must --

03:38PM 14 Q. You can stop right there. You read, it, right?

03:38PM 15 A. Mm-hmm.

03:38PM 16 Q. So, up under this cooperation agreement, you was not to  
03:38PM 17 commit any crimes while cooperating with the government,  
03:38PM 18 correct?

03:38PM 19 A. Up to the date of sentencing.

03:38PM 20 Q. So, once you sentenced, you can commit crimes again?  
03:38PM 21 It's okay to commit crimes again -- cooperate with the  
03:38PM 22 government?

03:38PM 23 A. No. We talking about what's in the agreement. That's  
03:38PM 24 not in the agreement.

03:38PM 25 Q. It's a question. I'm asking you a question now.

03:38PM 1 A. What is it?

03:38PM 2 Q. Once you get sentenced and you cooperate with the

03:38PM 3 government, and you finish getting sentenced, once they

03:39PM 4 release you, it's okay to commit crimes again while still

03:39PM 5 cooperating with the government? It's a yes or no question.

03:39PM 6 A. Yes or no? It's not okay to commit a crime.

03:39PM 7 Q. So, you don't have license to break the law while you're

03:39PM 8 cooperating with the government, right? You still got to

03:39PM 9 abide by the laws of the land, right?

03:39PM 10 A. The way -- I would not want to be in any more trouble

03:39PM 11 but --

03:39PM 12 Q. But that wasn't my question. My question was, when you

03:39PM 13 cooperated with the government, once they release you or

03:39PM 14 sentence you, and you still up under the agreement with the

03:39PM 15 government, cooperation agreement. The condition is, you is

03:39PM 16 not to commit any more crimes. And if you commit a crime,

03:39PM 17 you got the let the government know if any crimes be

03:40PM 18 committed. You have to inform the government of those

03:40PM 19 crimes, correct?

03:40PM 20 A. Probation.

03:40PM 21 Q. Probation?

03:40PM 22 A. Probation. That's -- the government say if I get in

03:40PM 23 trouble.

03:40PM 24 Q. But you are still cooperating. You are under the

03:40PM 25 cooperation agreement?

03:40PM 1 A. Yes, I cooperated.

03:40PM 2 Q. 5K1, right? So, once you in that cooperation agreement,  
03:40PM 3 the condition is, you don't commit no crimes while working  
03:40PM 4 with the government, correct?

03:40PM 5 A. I was done already.

03:40PM 6 Q. It's a yes or no question.

03:40PM 7 A. When I was sentenced and everything.

03:40PM 8 Q. So, it was okay to commit crimes while still in  
03:40PM 9 agreement? It's still okay to commit crimes?

03:40PM 10 A. The agreement says it extends past sentencing, but it  
03:40PM 11 says it right here, up through the date of sentencing, the  
03:40PM 12 defendant shall not commit --

03:41PM 13 THE COURT: Read what it says there, sir. What does  
03:41PM 14 it say?

03:41PM 15 THE WITNESS: It says it's a condition of this  
03:41PM 16 agreement that up through the date of defendant's sentencing,  
03:41PM 17 the defendant shall commit no further crimes.

03:41PM 18 BY THE DEFENDANT:

03:41PM 19 Q. So, is it true should the defendant be sentenced prior to  
03:41PM 20 completion of the defendant's cooperation with the government  
03:41PM 21 the defendant's obligation to comply with the cooperation  
03:41PM 22 provisions of this agreement extends past sentencing?

03:41PM 23 A. Yes. It says it extends past sentencing.

03:41PM 24 Q. So, is that telling you it's okay to still commit crimes  
03:42PM 25 while in this agreement; because you committed a lot of

03:42PM 1 crimes here, and we need to understand, and the jury need to  
03:42PM 2 know, and be able to take your testimony here today as  
03:42PM 3 truthful.

03:42PM 4 MR. LENIHAN: Objection. He's testifying.

03:42PM 5 THE COURT: Sustained. The jury will disregard that  
03:42PM 6 last comment.

03:42PM 7 BY THE DEFENDANT:

03:42PM 8 Q. Okay. On December 4th, 2017, you were sentenced to serve  
03:42PM 9 3 years, 4 months, and 12 days to be followed by 4 years of  
03:42PM 10 supervised release, correct?

03:42PM 11 A. Yes.

03:42PM 12 Q. A condition imposed includes drug and alcohol testing,  
03:42PM 13 treatment and search of conditions, correct?

03:42PM 14 A. Yes.

03:42PM 15 Q. Okay. Okay. And on May 9th, 2019 you successfully  
03:42PM 16 completed the re-entry court program for the Western District  
03:43PM 17 of New York and your term of supervised release was reduced  
03:43PM 18 [sic] by one year and a new expiration date was December 3rd,  
03:43PM 19 2020, correct?

03:43PM 20 A. Yes.

03:43PM 21 Q. Okay. This court signed this order on July 10th, 2019,  
03:43PM 22 correct, for your -- for the one year -- to get for you -- to  
03:43PM 23 accept the one-year from re-entry, the Court signed that  
03:43PM 24 order on July 10, 2019, correct?

03:43PM 25 A. Yes. They signed it.

03:43PM 1 Q. And two days later, on July 12th, 2019, this court issued  
03:43PM 2 an arrest warrant for your arrest, correct?  
03:43PM 3 A. Think about it. I don't know about them putting no  
03:44PM 4 warrant out. I had a violation and I was incarcerated.  
03:44PM 5 Q. If I show you a copy of that report, would it refresh  
03:44PM 6 your recollection?  
03:44PM 7 A. About a warrant?  
03:44PM 8 Q. What you got arrested for two days later, after this  
03:44PM 9 court give you the year off of probation, you got arrested  
03:44PM 10 two days later for DWI?  
03:44PM 11 A. Mm-hmm.  
03:44PM 12 Q. Yes?  
03:44PM 13 A. Yes.  
03:44PM 14 Q. Two days after, you got arrested for DWI felony?  
03:44PM 15 A. Yeah.  
03:44PM 16 Q. Okay. And you had a cooperation agreement in June of  
03:44PM 17 2005, case number 05-CR-145. You was facing a maximum term  
03:44PM 18 of imprisonment of 30 years back then too, correct?  
03:44PM 19 A. If I remember, yes.  
03:44PM 20 Q. You remember that?  
03:45PM 21 A. Yeah, I remember. I can't remember how much time it was  
03:45PM 22 but, yeah, I got in trouble.  
03:45PM 23 Q. So, you don't remember being a maximum of 30 years?  
03:45PM 24 A. Looking at 30 years prison time.  
03:45PM 25 Q. If I show you your plea agreement, would that refresh

03:45PM 1 your recollection?

03:45PM 2 A. No. You don't have to show it to me.

03:45PM 3 Q. So, you agree you was facing 30 years?

03:45PM 4 A. Yes.

03:45PM 5 Q. Okay. On November 11th, 2003, you was also indicted for  
03:45PM 6 a state possession of a weapon third degree, am armed felon.

03:45PM 7 You possessed a loaded firearm, a 380 caliber pistol,  
03:45PM 8 correct?

03:45PM 9 A. Yes.

03:45PM 10 Q. Okay. So, now, let me fast forward back to August 26,  
03:45PM 11 2019. You was in jail for the DWI, correct?

03:46PM 12 A. Yes.

03:46PM 13 Q. And that was for driving while intoxicated and possession  
03:46PM 14 of alcohol in a motor vehicle, correct?

03:46PM 15 A. Yes.

03:46PM 16 Q. And okay. So, while you in jail, you write this court a  
03:46PM 17 letter because you are a changed man now and you want this  
03:46PM 18 court to cut you some slack because you learned your lesson  
03:46PM 19 and you are ready to do the right thing. So, in this letter,  
03:46PM 20 you requested to be released, right?

03:46PM 21 A. Yes.

03:46PM 22 Q. Okay. You remember that letter you wrote the Court?

03:46PM 23 A. Yes. I can remember something like that.

03:46PM 24 Q. And you said you was a changed man?

03:46PM 25 A. Yes.



03:46PM 1 Q. That letter was a lie because soon as you released from  
03:46PM 2 jail on October 18th, 2021, you was arrested for unlawfully  
03:47PM 3 fleeing from a police officer in a motor vehicle third  
03:47PM 4 degree, reckless driver, and aggravated unlicensed operation,  
03:47PM 5 correct?

03:47PM 6 MR. LENIHAN: Objection.

03:47PM 7 THE WITNESS: No.

03:47PM 8 THE COURT: Sustained.

03:47PM 9 BY THE DEFENDANT:

03:47PM 10 Q. So, you didn't get arrested?

03:47PM 11 MR. LENIHAN: Objection.

03:47PM 12 THE COURT: Sustained.

03:47PM 13 BY THE DEFENDANT:

03:47PM 14 Q. How about on August 2nd, 2012 at 3:26 p.m., you  
03:47PM 15 threatened to kill Shaniqua Devost and a juvenile with a gun  
03:47PM 16 and at one point, almost hitting Ms. Devost and the juvenile  
03:47PM 17 while threatening to kill them. Witness 1 and Witness 2  
03:47PM 18 signed statements supporting the victim's narrative. You  
03:47PM 19 remember that incident?

03:47PM 20 MR. LENIHAN: Objection, Judge. This isn't what we  
03:47PM 21 discussed.

03:47PM 22 THE COURT: Sustained.

03:47PM 23 BY THE DEFENDANT:

03:48PM 24 Q. Was you charged with this crime on August 2nd, 2022?

03:48PM 25 A. Yes. I was charged with a crime.

03:48PM	1	Q. You was charged with threatening Shaniqua Devost and the
03:48PM	2	juvenile correct?
03:48PM	3	MR. LENIHAN: Objection.
03:48PM	4	THE COURT: Sustained.
03:48PM	5	BY THE DEFENDANT:
03:48PM	6	Q. So, you remember being -- endangering the welfare of a
03:48PM	7	child that day?
03:48PM	8	MR. LENIHAN: Objection.
03:48PM	9	THE COURT: Sustained.
03:48PM	10	BY THE DEFENDANT:
03:48PM	11	Q. Was you just recently -- did you get caught with another
03:48PM	12	weapon recently?
03:48PM	13	A. No.
03:48PM	14	Q. You never got caught with a weapon recently?
03:48PM	15	A. No.
03:48PM	16	Q. You don't have any knowledge of that?
03:48PM	17	A. No.
03:48PM	18	Q. So, you don't know you have a warrant for your arrest
03:49PM	19	right now?
03:49PM	20	A. I have a warrant for my arrest?
03:49PM	21	Q. Yes.
03:49PM	22	A. No.
03:49PM	23	Q. Do you know about that indictment?
03:49PM	24	A. No.
03:49PM	25	Q. You discussed the proceeding?

03:49PM	1	A. No.
03:49PM	2	Q. Do you know about this indictment, you never got caught
03:49PM	3	with a gun, and you don't know about a warrant that you have,
03:49PM	4	a warrant for your arrest?
03:49PM	5	MR. LENIHAN: Objection.
03:49PM	6	THE COURT: Sustained.
03:49PM	7	THE WITNESS: No.
03:49PM	8	BY THE DEFENDANT:
03:49PM	9	Q. Nothing you testified today is true. The Grand Jury
03:49PM	10	testimony says something totally different from the trial
03:49PM	11	testimony you gave here today.
03:49PM	12	MR. LENIHAN: Objection.
03:49PM	13	THE COURT: Sustained.
03:49PM	14	BY THE DEFENDANT:
03:49PM	15	Q. You testified being a robbery victim in the government's
03:50PM	16	direct earlier, correct?
03:50PM	17	A. Yes.
03:50PM	18	Q. You was a robbery victim, correct?
03:50PM	19	A. Yes.
03:50PM	20	Q. And you testified that you was a robbery victim, went to
03:50PM	21	go buy some weed, marijuana, from this guy Musa and he robbed
03:50PM	22	you for \$1,500. Now, you told the government he robbed you
03:50PM	23	for three pounds of marijuana today, correct? So, it was
03:50PM	24	\$3,300 of marijuana, which is three pounds --
03:50PM	25	MR. LENIHAN: Objection.

03:50PM 1 THE COURT: Sustained.

03:50PM 2 BY THE DEFENDANT:

03:50PM 3 Q. So, when the government asked you that you was a robbery  
03:50PM 4 victim, you was selling somebody some marijuana; is that  
03:50PM 5 true?

03:50PM 6 A. Yes. I was going to sell him some marijuana.

03:50PM 7 Q. So, your testimony today is, you were selling him some  
03:51PM 8 marijuana, and he robbed you for three pounds of marijuana.  
03:51PM 9 That was your testimony you gave today in front of the jury  
03:51PM 10 correct?

03:51PM 11 MR. LENIHAN: Objection. He never testified to that.

03:51PM 12 THE COURT: That will be up to the jury to recall  
03:51PM 13 whether what was testified to or not.

03:51PM 14 THE DEFENDANT: Your Honor, can I get a readback when  
03:51PM 15 he was asked this question, Your Honor?

03:51PM 16 THE COURT: No, you cannot.

03:51PM 17 BY THE DEFENDANT:

03:52PM 18 Q. So, when the government ask you was you a robbery victim  
03:52PM 19 today, you say you was robbed for marijuana, correct?

03:52PM 20 A. Ask me -- yes.

03:52PM 21 Q. How much marijuana did you get robbed for?

03:52PM 22 A. Three pounds.

03:52PM 23 Q. Three pounds of marijuana you got robbed for? That  
03:52PM 24 testimony totally changed from the Grand Jury transcript  
03:52PM 25 testimony that you gave at the Grand Jury, correct? You

03:52PM	1	stated something totally different at the Grand Jury, right?
03:52PM	2	A. Can't recall.
03:52PM	3	Q. If I show you your Grand Jury testimony, would that
03:53PM	4	refresh your recollection?
03:53PM	5	A. Yes. Show it to me.
03:53PM	6	THE DEFENDANT: Your Honor, is it okay for me to show
03:53PM	7	the witness his Grand Jury testimony?
03:53PM	8	THE COURT: Yes, it is.
03:53PM	9	MR. FOTI: This is 3502A.
03:54PM	10	BY THE DEFENDANT:
03:54PM	11	Q. It start on page 18, line 25. At the bottom, line 25, it
03:55PM	12	starts --
03:55PM	13	A. It says you were robbed so --
03:55PM	14	Q. Okay. That's --
03:55PM	15	A. What I paid for the actual.
03:55PM	16	Q. It start again on page 19, from one to three, and just
03:55PM	17	read it to yourself and let me know when you finish.
03:55PM	18	A. I'm ready.
03:55PM	19	Q. So, today on direct from the government, he asked you
03:56PM	20	about a robbery, correct?
03:56PM	21	A. Yes.
03:56PM	22	Q. And you stated to the government that you was robbed of
03:56PM	23	what?
03:56PM	24	A. Robbed of three pounds of marijuana.
03:56PM	25	Q. Three pounds of marijuana, right?

03:56PM 1 A. Yeah.

03:56PM 2 Q. Okay. Your Grand Jury testimony says something totally

03:56PM 3 different, correct?

03:56PM 4 A. That's what I paid for it.

03:56PM 5 Q. No, not the answer --

03:56PM 6 A. It says something different.

03:56PM 7 Q. The Grand Jury transcript said you say you was robbed,

03:56PM 8 correct? That was the question. Your answer was yes.

03:56PM 9 Question. What was you robbed over? Your answer was, a guy

03:56PM 10 robbed me for like, \$1,500, a guy named Musa. Did you know

03:56PM 11 this individual? Not really. He from Spring Street.

03:56PM 12 There's nowhere in this testimony you said you got robbed

03:56PM 13 for three pounds of marijuana. So, that was a lie, correct?

03:57PM 14 You sat here and lied to the jurors about you being a robbery

03:57PM 15 victim, and you got robbed for three pounds, \$3,300 worth of

03:57PM 16 marijuana, but that wasn't true, correct?

03:57PM 17 A. No.

03:57PM 18 Q. You got robbed for \$1,500?

03:57PM 19 A. That's what a paid for three pounds.

03:57PM 20 Q. But that wasn't the question he asked you. You

03:57PM 21 specifically told them you got robbed for three pounds of

03:57PM 22 marijuana which was \$3,300 worth of?

03:57PM 23 A. Street value.

03:57PM 24 Q. Money. Right. You told the Grand Jury you got robbed

03:57PM 25 for \$1,500. That's not true, correct? It's a yes or no

03:57PM 1 answer. You saying two different stories.

03:57PM 2 MR. LENIHAN: Objection. He not allowing the  
03:57PM 3 witness to answer the question.

03:57PM 4 THE COURT: You can answer the question, sir. Are  
03:57PM 5 you talking about two different robberies or what?

03:57PM 6 THE WITNESS: The same robbery. It was \$1,500 I  
03:57PM 7 spent in cash for the marijuana, but that was robbery for  
03:58PM 8 three pounds. That's \$3,300.

03:58PM 9 THE DEFENDANT: That wasn't the question.

03:58PM 10 THE COURT: When he's speaking, you do not ask  
03:58PM 11 another question. Finish your answer, sir.

03:58PM 12 THE WITNESS: It was -- the money that I spent was  
03:58PM 13 \$1,500 for the three pounds. The three pounds had a street  
03:58PM 14 value of \$3,300.

03:58PM 15 THE DEFENDANT: But that wasn't the question, Your  
03:58PM 16 Honor. The government asked him --

03:58PM 17 THE COURT: No speeches, just ask the next question,  
03:58PM 18 please.

03:58PM 19 BY THE DEFENDANT:

03:58PM 20 Q. So, that testimony was false today, correct?

03:58PM 21 MR. LENIHAN: Objection.

03:58PM 22 THE COURT: Sustained.

03:58PM 23 BY THE DEFENDANT:

03:59PM 24 Q. So, where you testified today that you was robbed for  
03:59PM 25 marijuana --

03:59PM	1	THE COURT: All right. We've gone through that. Go
03:59PM	2	to the next area. We have already exhausted that enough.
03:59PM	3	THE DEFENDANT: He lied, Your Honor. That's what I'm
03:59PM	4	trying to get out.
03:59PM	5	MR. LENIHAN: Objection.
03:59PM	6	THE COURT: You can ask the next question or am I
03:59PM	7	going to stop the cross-examination?
03:59PM	8	BY THE DEFENDANT:
03:59PM	9	Q. You testified here today after this robbery I offered you
04:00PM	10	my assistance for \$5,000 to take care of a person for you for
04:00PM	11	a family price. That was false, right?
04:00PM	12	A. No.
04:00PM	13	Q. So, if Torrance come in here and testify he never heard
04:00PM	14	this, that mean you lied to the Grand Jury, correct?
04:00PM	15	MR. LENIHAN: Objection.
04:00PM	16	THE COURT: That is an improper question.
04:00PM	17	BY THE DEFENDANT:
04:00PM	18	Q. So, if Letorrance Travis come in here tomorrow --
04:00PM	19	THE COURT: You can't ask a question about what an
04:00PM	20	another witness would testify to. Mr. Lenihan, are you
04:00PM	21	objecting to this or not?
04:00PM	22	MR. LENIHAN: I did. I objected and then he asked
04:00PM	23	the same question previously and I objected.
04:00PM	24	THE COURT: All right.
04:00PM	25	



04:00PM 1 BY THE DEFENDANT:

04:00PM 2 Q. Me and you never got along or like each other, correct?

04:00PM 3 A. No. We spoke, we never really cool, hang, nothing like

04:01PM 4 that.

04:01PM 5 Q. Me and you never got along, correct? We never got along,

04:01PM 6 we never chilled, talked, did any business together, correct?

04:01PM 7 A. We don't do no business. We don't talk. We don't hang

04:01PM 8 with each other.

04:01PM 9 Q. Me and you never dealt any drugs together or had an

04:01PM 10 agreement together, right?

04:01PM 11 A. No we never dealt drugs with each other.

04:01PM 12 Q. Okay. You not charged on this indictment as a

04:01PM 13 coconspirator, correct?

04:01PM 14 A. No.

04:01PM 15 Q. You said this girl that you -- your girlfriend yours that

04:02PM 16 you met on Carl Street, you said she witnessed Matt murder,

04:02PM 17 but did any law enforcement ever get in contact with this

04:02PM 18 woman to collaborate your story that you talked to this

04:02PM 19 female or she talked to allegedly me and a couple guys?

04:02PM 20 MR. LENIHAN: Objection. Speculation.

04:02PM 21 THE DEFENDANT: Did any officers to talk --

04:02PM 22 THE COURT: Do you understand the question, sir?

04:02PM 23 THE WITNESS: Oh, I didn't know I can talk. I'm

04:02PM 24 sorry.

04:02PM 25

04:02PM 1 BY THE DEFENDANT:

04:02PM 2 Q. This female friend you said witnessed Matt murder on Carl

04:02PM 3 Street, did any law enforcement or any agents that you told

04:02PM 4 this testimony to, that this girl existed, did anybody go

04:03PM 5 follow up and see if this girl ever existed or did they ever

04:03PM 6 talk to this girl?

04:03PM 7 A. She had moved at the time, and I told them where she

04:03PM 8 stayed at, and I guess she moved from there, too. So, no.

04:03PM 9 The answer --

04:03PM 10 Q. So, this girl don't exist?

04:03PM 11 A. They never spoke with her.

04:03PM 12 Q. They never spoke -- they never found this woman you was

04:03PM 13 talking about?

04:03PM 14 A. No.

04:03PM 15 Q. Did you witness or did you go over there when you

04:03PM 16 allegedly said that you told us that this girl had

04:03PM 17 information? Did you go over there? You know for sure we

04:03PM 18 went over there?

04:03PM 19 A. To speak with her?

04:03PM 20 Q. Yes.

04:03PM 21 A. Yes.

04:03PM 22 Q. You seen us go over there?

04:03PM 23 A. I didn't see you guys go over there. I went over there.

04:03PM 24 Q. Did you see me over there talking to her?

04:03PM 25 A. No. I didn't see you guys go over there.

04:03PM 1 Q. Okay. So, you don't know if --

04:03PM 2 A. No. I spoke with her.

04:03PM 3 Q. But the government never spoke to this girl. We don't  
04:03PM 4 even know who this girl is. What's her name? What's her  
04:03PM 5 name?

04:03PM 6 A. Chantel.

04:03PM 7 Q. And the government never found this woman to come in here  
04:04PM 8 to collaborate what you saying about this meeting taking  
04:04PM 9 place?

04:04PM 10 A. No. The government never found her.

04:04PM 11 Q. Did you remember being interviewed by agents and you was  
04:04PM 12 asked questions and you stated that Tremaine Jacobs a/k/a  
04:04PM 13 Teeter told you that --

04:04PM 14 MR. LENIHAN: Objection. Hearsay.

04:04PM 15 THE COURT: Sustained.

04:04PM 16 BY THE DEFENDANT:

04:04PM 17 Q. You testified that you was in the drug trade with all  
04:04PM 18 individuals in 2012 when Matt died, correct?

04:05PM 19 A. Yes.

04:05PM 20 Q. You remember that correct? Okay. But that was a lie,  
04:05PM 21 correct?

04:05PM 22 A. What was a lie about?

04:05PM 23 Q. If I show you your Grand Jury testimony, would that  
04:05PM 24 refresh your recollection?

04:05PM 25 A. Yeah. You can show it to me.

04:06PM	1	Q. Page 36, from 1 to 25?
04:07PM	2	A. I read it.
04:07PM	3	Q. That refresh your recollection?
04:08PM	4	A. Mm-hmm.
04:08PM	5	Q. So, when Torrance went to jail in 2011, and he got
04:08PM	6	popped --
04:08PM	7	THE COURT: Did it refresh your recollection?
04:08PM	8	THE WITNESS: Yes. I said yes, Your Honor. I'm
04:08PM	9	sorry.
04:08PM	10	THE COURT: All right. The question was asked. You
04:08PM	11	testified that you were in the drug trade with all the
04:08PM	12	individuals in 2012 what Matt died, correct?
04:08PM	13	THE WITNESS: In 2011.
04:08PM	14	THE COURT: Your answer was?
04:08PM	15	THE WITNESS: In 2011.
04:08PM	16	THE DEFENDANT: No, it was '12, Your Honor.
04:08PM	17	THE COURT: It's what the -- you're not testifying.
04:08PM	18	It's the witness. So, that was the question. Do you remember
04:08PM	19	that, correct?
04:08PM	20	THE WITNESS: Yes.
04:08PM	21	THE COURT: Okay. But then he was asking that was a
04:08PM	22	lie.
04:10PM	23	(The record was read by the reporter.)
04:10PM	24	THE COURT: What was your answer?
04:10PM	25	THE WITNESS: She said when Matt died right, Your

04:10PM 1 Honor? We talking about 2012 when Matt passed away.

04:10PM 2 THE COURT: Yes. All right.

04:10PM 3 THE WITNESS: When my cousin got caught in 2011,  
04:10PM 4 there was no drugs. So --

04:10PM 5 THE DEFENDANT: That wasn't my question.

04:10PM 6 THE COURT: The question was that you were involved  
04:10PM 7 in drug activity at that time and then Mr. Arrington asked you  
04:10PM 8 whether that was a lie. Do you remember that?

04:10PM 9 THE WITNESS: Yes, now that you saying it.

04:10PM 10 THE COURT: Okay. And you looked at the document.  
04:10PM 11 That refreshed your memory. And what's your answer? Is that  
04:10PM 12 a lie?

04:10PM 13 THE WITNESS: No.

04:10PM 14 THE COURT: That you were involved in drug activity?

04:10PM 15 THE WITNESS: Yes. I was involved in drug activity  
04:11PM 16 Your Honor but in 2012, it slowed up.

04:11PM 17 THE COURT: So, it's the year you're concerned about.

04:11PM 18 THE WITNESS: Yeah. That's the thing. Other than  
04:11PM 19 that, that's the thing.

04:11PM 20 THE DEFENDANT: Your Honor, can I finish the question  
04:11PM 21 please?

04:11PM 22 THE COURT: Yeah. Right now, I am -- so it was a lie  
04:11PM 23 or it's not a lie?

04:11PM 24 THE WITNESS: No. That's not a lie.

04:11PM 25 THE COURT: All right.

04:11PM 1 BY THE DEFENDANT:

04:11PM 2 Q. Question. Did he give you 62 grams or before or after he

04:11PM 3 was indicted. Answer. That was before.

04:11PM 4 THE COURT: Just a second.

04:11PM 5 Q. He was indicted.

04:11PM 6 MR. LENIHAN: I don't know who he is?

04:11PM 7 THE COURT: Wait a minute.

04:11PM 8 THE DEFENDANT: Letorrance Travis.

04:12PM 9 THE COURT: Ask it again.

04:12PM 10 BY THE DEFENDANT:

04:12PM 11 Q. I stated it was page 36, 1 to 25. I'm starting from line

04:12PM 12 3. Question --

04:13PM 13 THE COURT: Wait a minute, wait a minute. Ladies and

04:13PM 14 gentlemen, we're going to take a break. I'm going to send you

04:13PM 15 home.

04:13PM 16 Do not discuss the case with anyone. Do not discuss it

04:13PM 17 among yourselves. And I really -- do not discuss this case

04:13PM 18 during the recess with among yourselves. If anyone talks

04:13PM 19 about this case, I want to know about it from this point

04:13PM 20 forward. You're not to talk about the case. Does everyone

04:13PM 21 understand that? It is critical to this trial that you not

04:13PM 22 talk about this case under any circumstances until the trial

04:13PM 23 is over, and the case is given to you for your deliberation

04:13PM 24 and verdict.

04:13PM 25 Everyone understand that? I don't want to say this again.

04:13PM 1 I have said this many, many times and it's critical to a fair  
04:13PM 2 trial that you not discuss this case among yourselves. You  
04:13PM 3 are reminded not to mingle with the lawyers or the parties.  
04:13PM 4 Do not do any research. Keep an open mind. Do not form any  
04:14PM 5 opinion or judgment until you have heard all the evidence, you  
04:14PM 6 have heard the summations, and I charge you on the law and you  
04:14PM 7 begin your deliberations. Okay. Have a nice evening. We'll  
04:14PM 8 see you tomorrow morning. What time is tomorrow?  
04:14PM 9 THE CLERK: Nine o'clock tomorrow.  
04:14PM 10 THE COURT: All right, folks. Enjoy the evening,  
04:14PM 11 folks. See you tomorrow morning.  
04:14PM 12 (The jury left the room at 4:15 p.m.)

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I certify that the foregoing is a  
correct transcription of the proceedings  
recorded by me in this matter.

s/ Megan E. Pelka, RPR

Official Court Reporter